

TAB A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JACOB SMITH,)	Case No. 2:20-cv-03755
)	
Plaintiff,)	
)	Judge Edmund A. Sargus
v.)	Magistrate Judge Kimberly A. Jolson
)	
FIRSTENERGY CORP., <i>et al.</i> ,)	
)	
Defendants.)	
)	

JAMES BULDAS,)	Case No. 2:20-cv-03987
)	
Plaintiff,)	Judge Edmund A. Sargus
)	Magistrate Judge Kimberly A. Jolson
v.)	
)	
FIRSTENERGY CORP., <i>et al.</i> ,)	
)	
Defendants.)	
)	

BRIAN HUDOCK and CAMEO COUTERTOPS, INC.,)	Case No. 2:20-cv-03954
)	
Plaintiffs,)	Judge Edmund A. Sargus
)	Magistrate Judge Kimberly A. Jolson
v.)	
)	
FIRSTENERGY CORP., <i>et al.</i> ,)	
)	
Defendants.)	
)	

**DECLARATION OF MARVIN A. MILLER IN SUPPORT OF AWARD OF
ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES, AND AWARD OF
INCENTIVE PAYMENTS TO CLASS REPRESENTATIVES**

I, Marvin A. Miller, declare as follows:

1. I am an attorney licensed to practice before the courts of the State of Illinois and the State of New York, and am a member in the law firm of Miller Law LLC (“Miller Law”). I have personal knowledge of the facts stated in this Declaration and, if called as a witness, I would testify competently to them. I make this Declaration in support of Miller Law’s request for attorneys’ fees and reimbursement of litigation expenses, as set forth in Class Plaintiffs’ Unopposed Motion For Award of Attorneys’ Fees, Costs, And Incentive Awards To Class Representative Plaintiffs (the “Fee Motion”) (ECF No. 145).

2. I am counsel of record in this case for plaintiffs Jacob Smith, Brian Hudock, and Cameo Countertops, Inc.

3. A brief description my firm, which includes a short summary of my experience and credentials, is attached as Exhibit 1 and incorporated herein by reference.

4. Throughout the course of this litigation, my firm kept files contemporaneously documenting all time spent, including tasks performed, and expenses incurred, and shared those reports on a regular basis with Dennis E. Murray, Jr. and James L. Ward, who are, along with me, Class Counsel for the Settlement Class. *See* ECF No. 142 (preliminary approval order appointing Messrs. Murray, Miller, and Ward as Class Counsel). All the time and expenses reported by my firm advanced the tremendous class-wide result achieved in this case.

5. Such work included every aspect of the litigation from preparing the complaint, working on discovery issues, opposing the FirstEnergy defendants’ motion to dismiss, moving for class certification, defending the deposition of one of the class representatives, opposing Energy Harbor’s motion for judgment on the pleadings, leading settlement preparation, negotiation with opposing counsel, and the preparation and modification of a detailed set of documents necessary to both reduce the two settlement agreements to writing and prepare them for presentation to the Court

including all aspects of class notice.

6. The schedule attached as Exhibit 2, and incorporated herein, is a summary of the amount of time spent by my firm's partners, attorneys, and professional support staff who were involved in this litigation. It does not include any time devoted to preparing this Declaration or otherwise pertaining to the Fee Motion. The lodestar calculation is based on my firm's current billing rates. Exhibit 2 was prepared from contemporaneous time records regularly prepared and maintained by my firm. Those records have been provided to Class Counsel, and I authorize them to be submitted for inspection by the Court if necessary.

7. The total number of hours reasonably expended on this litigation by my firm from inception through July 31, 2022, which does not include time spent preparing this Declaration or preparing the Fee Motion, is 1407.3 hours. The total lodestar for my firm at current rates is \$1,087,284.50. Expense items are billed separately and are not duplicated in my firm's lodestar.

8. The expenses my firm incurred in litigating this action are reflected in the books and records of my firm. These books and records are prepared from expense vouchers, invoices, receipts, check records, and other source materials and accurately reflect the expenses incurred. My firm's expense records are available for inspection by the Court if necessary.

9. My firm incurred a total of \$19,374.71 in unreimbursed expenses, all of which were reasonable and necessary for the prosecution of this litigation. Of this amount, \$7,000 was for assessment payments for common litigation expenses or direct payments to experts or other vendors made at the request of Dennis Murray Jr. or as directed by me, and an additional \$12,374.71 was for non-common litigation expenses incurred by my firm, such as filing fees, on-line PACER research, electronic legal research, meals, parking, copying, telephone, etc. A summary of those expenses by category is attached as Exhibit 3.

10. In the event my firm provides additional services or incurs additional costs, I will

supplement this declaration.

I declare under penalty and perjury that the foregoing is true and correct. Executed this 10th day of October, 2022, in Highland Park, Illinois.

s/ Marvin A. Miller
Marvin A. Miller

EXHIBIT 1



Miller Law LLC is a litigation boutique law firm which unites the talents of attorneys with combined experience in a wide array of complex civil litigation. The foundation of the firm is the ability to handle large complex litigation and sophisticated class actions in a variety of practice areas in federal and state courts across the country.

Our long history of class action litigation experience covers a varied and broad range of industries including pharmaceuticals, telecommunications, commodities and securities.

Miller Law LLC's fees are contingent on our success in achieving a favorable result for our clients and are reviewed and awarded by the court. Because we advance the costs of the litigation and our fees are earned on a predominately contingent basis, we continuously monitor and carefully evaluate each case throughout the litigation and understand the need to be efficient. This gives us the confidence and flexibility to employ creative thought in the decision-making process at every stage of the litigation. The skill and experience of the Miller Law attorneys has been recognized repeatedly by their peers, at whose request we have served as lead counsel, co-lead counsel, and *liaison*, and by courts, which have appointed our attorneys to leadership positions in complex multi-district or consolidated litigation in securities, commodities, consumer and antitrust class actions where we have been responsible for many outstanding recoveries and precedent-making decisions.

Some of the significant cases in which Miller Law attorneys have been prominently involved include:

ANTITRUST

Bayside Rubber & Prods., Inv. v. Caleca et al., 07-21784 (S.D. Fla.). This class action alleges that defendant-manufacturers of flexible rubber hose used to transport oil between ships, terminals, buoys and tanks, among other things, conspired to fix the prices of the marine hoses.

Brand-Name Prescription Drug Indirect Purchaser Actions. Coordinated antitrust actions against the major pharmaceutical manufacturers in ten states and the District of Columbia. The actions were brought under state law on behalf of indirect purchaser consumers who obtained brand name prescription drugs from retail pharmacies. In 1998, the parties agreed to a multi-state settlement in the amount of \$64.3 million, which was allocated among the actions.

Caldwell v. Matsushita Elec. Indus. Co., Ltd., 07-6303 (N.D. Cal.). Miller Law LLC, along with co-counsel, represents a plaintiff who seeks damages and injunctive relief for alleged antitrust violations relating to flat screens.

Garabedian v. LASMSA Limited Partnership, No. 721144 (Superior Court, Orange County, Cal.). Class action under California's Cartwright Act which alleged price-fixing of cellular telephone

service in the Los Angeles area market. The court granted final approval to two settlements that provided \$165 million of in-kind benefits.

In re Aftermarket Filters Antitrust Litig., MDL No. 1957, 08-4883 (N.D. Ill.). The complaint alleged a conspiracy among the Defendants and their co-conspirators to fix prices and to engage in other unlawful practices intended to raise, maintain, and/or stabilize prices for replacement motor vehicle oil, fuel and engine air filters (“Filters”). The firm serves as *liaison* counsel for the Indirect Purchasers. The Court has granted final approval of a settlement of Indirect Purchasers.

In re Air Cargo Shipping Servs. Antitrust Litig., 06-MD-1775 (E.D. N.Y.). Miller Law LLC represents plaintiffs who seek recovery from air cargo shipping provider-defendants that it is alleged participated in a global conspiracy to fix prices charged for these shipping services at *supra*-competitive levels, in violation of the federal antitrust laws.

In re Airline Ticket Commission Antitrust Litig., MDL No. 1058 (D. Minn.). Antitrust class action on behalf of travel agents against the major airlines for allegedly fixing the amount of commissions payable on ticket sales. The action settled for \$87 million. *See* 953 F. Supp. 280 (D. Minn. 1997).

In re Automotive Parts Antitrust Litig., (In re Instrument Panel Clusters Case), 12-MD-02311 (E.D. MI). Miller Law LLC represents direct purchaser plaintiffs.

In re Cellular Phone Cases, Coordination Proceeding No. 4000 (Superior Court, San Francisco County, Cal.). Class action under California’s Cartwright Act, which alleged price-fixing of cellular telephone service in the San Francisco area market. The \$35 million in-kind benefits to the Class was granted final approval.

In re Cathode Ray Tube (CRT) Antitrust Litig., MDL 1917, 07-5944-SC (N.D. Cal.). The antitrust class action complaint contains allegations of price fixing of Cathode Ray Tubes and Cathode Ray Tube Products including those used in televisions, computer monitors and other devices.

In re Liquid Aluminum Sulfate Antitrust Litig., 16-MD-02687 (D. NJ). Marvin Miller, as court-appointed, co-lead counsel for a class of indirect purchasers, successfully obtained final approval of a \$33 million settlement package for the class stemming from alleged price-fixing and bid-rigging of liquid aluminum sulfate, a water treatment chemical. The \$33 million settlement likely exceeded one hundred percent of the estimated, aggregated treble damages sustained by the class.

In re Lithotripsy Antitrust Litig., No. 98 C 8394 (N.D. Ill.). Antitrust class action arising out of alleged stabilization of urologist fees in the Chicago metropolitan area.

In re Photochromic Lens Antitrust Litig., MDL 2173 (M.D. Fla.). Miller Law LLC represents an Illinois client in this antitrust case.

In re: Polyurethane Foam Antitrust Litigation, 10 MDL 2196 (NDOH). This antitrust class action seeks to recover damages sustained by indirect purchasers of polyurethane foam as a result of defendants’ agreements to fix the prices and allocate customers for flexible polyurethane foam which is a major component of bedding, furniture and other products. Marvin Miller was appointed Lead

Counsel for the Indirect Purchasers. On January 27, 2016, the Court granted final approval of nine settlements valued at \$151,250,000.

In re Potash Antitrust Litig. No. II, MDL No. 1996, 08-6910 (N.D. Ill.). This case is brought on behalf of a class of plaintiffs who indirectly purchased potash products in the United States from one or more named Defendants between July 1, 2003 and the present. Plaintiff alleges, that in order to maintain price stability and increase profitability, Defendants conspired and combined to fix, raise, maintain, and stabilize the prices for potash that was sold in the United States and that the Defendants exchanged sensitive, non-public information about prices, capacity, sales volumes, and demand; allocated market shares, customers and volumes to be sold; and coordinated on output, including the limitation of production, to further and enact the price fixing conspiracy. On November 3, 2009, the Court denied in part Defendants' motion to dismiss the class action complaint. The Seventh Circuit en banc panel affirmed the District Court's denial of Defendants' motion to dismiss. Mr. Miller was appointed by the Court and serves as Interim Lead Counsel.

In re: Text Messaging Antitrust Litig., 08-7082 (N.D. Ill.). The Complaint in this Multidistrict Litigation seeks relief against the major cellular service providers because of alleged price fixing of text messaging charges. Mr. Miller has been appointed to the Plaintiffs' Steering Committee.

Kleen Products LLC, et al. v. Int'l Paper, et al., 10 C 5711 (N.D. Ill.). Nationwide Sherman Act class action for direct purchasers involving price-fixing and supply restriction claims against the major integrated producers of containerboard and corrugated products.

Lobatz v. AirTouch Cellular, 94-1311 BTM (AJB) (S.D. Cal.). Class action alleging price-fixing of cellular telephone service in San Diego County, California. The court approved settlements of \$8 million in cash and other benefits.

Painters District Council No. 30 Health and Welfare Fund v. Evanston Northwestern Healthcare, 08-2541 (N.D. Ill.). Defendant Evanston Northwestern Healthcare is being sued for inflated prices for healthcare services in violation of antitrust laws.

Supreme Auto Transport LLC v. Arcelor Mittal, 08-5468 (N.D. Ill.). This indirect purchaser class action alleges that Arcelor Mittal USA and others conspired to illegally price fixing of steel products sold to consumers and to artificially restrict the supply of steel products in the United States. Mr. Miller was appointed Interim Co-Lead Counsel.

Yoly Industrial Supply v. Horizon Lines, Inc., 03:08-CV-434-J-32HTS (M.D. Fla.). Complaint alleges antitrust violations by ocean shippers to raise, fix, peg, maintain or stabilize prices for Ocean Cabotage in the Puerto Rico trade.

PHARMACEUTICAL ANTITRUST

In re Actos Antitrust Litig., 13-09244 (S.D.N.Y.) Miller Law LLC represents a Third-Party Payor Union Health and Welfare Fund in this indirect purchaser antitrust action.

In re Aggrenox Antitrust Litig., MDL No. 02516 (D. Ct.) Miller Law LLC and the other co-lead

counsel for the End Payor Class were granted final approval of a \$54 million settlement, July 2018, thereby settling this antitrust action seeking treble damages arising out of the defendants' unlawful exclusion of generic substitutes from the market.

In re Cardizem CD Antitrust Litig., MDL No. 1278 (E.D. Mich.). Multi-district class action on behalf of purchasers of Cardizem CD, a brand-name heart medication manufactured and marketed by Hoechst Marion Roussel, Inc. (now merged into Aventis Pharmaceuticals, Inc.) Plaintiffs alleged that an agreement between HMR and generic manufacturer Andrx Corp. unlawfully stalled generic competition. The \$80 million settlement for the benefit of third-party payors and consumers was granted final approval. *In re Cardizem CD Antitrust Litig.*, 218 F.R.D. 508 (E.D. Mich. 2003), *appeal dismissed*, 391 F.3d 812 (6th Cir. 2004).

In re Effexor XR Antitrust Litig., 11-5590 (D.N.J.). Miller Law LLC, along with co-counsel, represents indirect purchaser opt-out plaintiffs in this antitrust action against Wyeth, Inc., Wyeth Pharmaceuticals, Inc., Wyeth-Whitehall Pharmaceuticals and Wyeth Pharmaceuticals Company.

In re Flonase Antitrust Litig., 08-3301 (E.D. Pa.). Plaintiffs allege that Defendants engaged in anticompetitive activities and abuse of the citizen petition process to maintain their monopoly profits in the fluticasone propionate market. Marvin Miller and Lori Fanning have been appointed co-lead counsel for the Indirect Purchaser Class. An Indirect Purchaser Class was certified on June 18, 2012. Judge Brody granted final approval of a \$35 million settlement.

In re Lidoderm Antitrust Litig., 14-md-2521-WHO (N.D. Cal.). Miller Law serves as an executive committee member of the End-Payor pharmaceutical antitrust litigation.

In re Loestrin Antitrust Litig., MDL No. 2472 (D. R.I.). Miller Law LLC is co-lead counsel for Indirect Purchaser Plaintiffs in this antitrust action seeking treble damages arising out of the defendants' unlawful exclusion of generic substitutes from the market. A Third-Party Payor Class was certified and the case was set for trial in January, 2020.

In re Lorazepam & Clorazepate Antitrust Litig., MDL 1290 (D.D.C.). This multi-district class action arose out of an alleged scheme to corner the market on the active pharmaceutical ingredients necessary to manufacture generic clorazepate and lorazepam tablets. After cornering the market on the supply, defendants raised prices for generic clorazepate and lorazepam tablets by staggering amounts (*i.e.*, 1,900% to over 6,500%) despite no significant increase in costs. On February 1, 2002, Judge Thomas F. Hogan approved a class action settlement on behalf of consumers, state attorneys general and third-party payors in the aggregate amount of \$135 million. *See* 205 F.R.D. 369 (D.D.C. 2002).

In re Niaspan Antitrust Litig., MDL No. 2460 (E.D. Pa.) Mr. Miller is co-lead counsel for Indirect Purchaser Plaintiffs in this antitrust action seeking treble damages arising out of the defendants' unlawful exclusion of generic substitutes from the market for this cholesterol drug.

In re Relafen Antitrust Litig., 01-12239 (D. Mass.). The United States District Court for the District of Massachusetts granted final approval to a \$75 million class action settlement for the benefit of

consumers and third-party payors who paid for branded and generic versions of the arthritis medication Relafen.

In re Solodyn Antitrust Litig., (D. Mass.). Mr. Miller is on the Executive Committee in this Indirect Purchaser antitrust action where a \$40 settlement was approved in July 2018. The action arose out of the defendants' unlawful exclusion of generic substitutes from the market for oral antibiotics for the treatment of acne.

In re Suboxone Antitrust Litig., MDL No. 2445 (E.D. Pa.). In this Indirect Purchaser antitrust action seeking treble damages arising out of the defendants' unlawful exclusion of generic substitutes from the market, Mr. Miller serves as co-lead counsel for the putative Indirect Purchaser Class. Class was certified on

In re Synthroid Marketing Litig., MDL No. 1182 (N.D. Ill.). This multi-district action arises out of alleged unlawful activities with respect to the marketing of Synthroid, a levothyroxine product used to treat thyroid disorders. Final approval of a settlement in the amount of \$87.4 million plus interest. See 188 F.R.D. 295 (N.D. Ill. 1999) was upheld on appeal. See 264 F.3d 712 (7th Cir. 2001).

In re Warfarin Sodium Antitrust Litig., MDL 98-1232 (D. Del.). A multi-district class action on behalf of purchasers of Coumadin, the brand-name warfarin sodium manufactured and marketed by DuPont Pharmaceutical Company. Plaintiffs alleged that the defendant engaged in anticompetitive conduct that wrongfully suppressed competition from generic warfarin sodium. The case settled for \$44.5 million which was affirmed on appeal. See *In re Warfarin Sodium Antitrust Litig.*, 212 F.R.D. 231 (D. Del. 2002).

In re Wellbutrin XL Indirect Purchaser Antitrust Litig., 08-2433 (E.D. Pa.), ***Painters District Council No. 30 Health and Welfare Fund v. Biovail Corp.***, 08-2688 (E.D. Pa.). Plaintiff alleges that Defendants engaged in sham litigation and petitioning and anticompetitive agreements to maintain their monopoly profits in the bupropion HCl extended release market.

In re Zetia (Ezetimibe) Antitrust Litig., 2:18-md-02836 (E.D. Va.). Mr. Miller is co-lead counsel for the End Payor Plaintiffs in this antitrust action seeking treble damages arising out of the defendants' unlawful exclusion of generic substitutes from the market.

Painters District Council No. 30 Health and Welfare Fund and Bluecross Blueshield Tennessee, Inc. v. King Pharma., Inc. and Mutual Pharma. Co., Inc. (a.k.a. In re Skelaxin Antitrust Litig) (E.D.TN.) The firm represents opt-out indirect purchasers in this antitrust action seeking treble damages arising out of the defendants' unlawful exclusion of generic substitutes from the market for metaxalone, a prescription muscle relaxant.

Ryan-House v. GlaxoSmithKline PLC, No. 02-442 (E.D. Va.). Plaintiffs allege that GSK, which makes Augmentin, misled the United States Patent Office into issuing patents to protect Augmentin from competition from generic substitutes. The case was resolved and the court approved a \$29 million settlement for the benefit of consumers and third-party payors. *Ryan-House, et al v. GlaxoSmithKline, PLC, et al.*, No. 02-442, (January 10, 2005, E.D. Va.)

In re Namenda Indirect Purchaser Antitrust Litig., No. 15-cv-6549 (S.D.N.Y.)(CM)(RWL) Mr. Miller and Ms. Fanning of Miller Law LLC are two of the co-lead counsel for the End Payor Plaintiffs in this antitrust action seeking treble damages arising out of the defendants' unlawful exclusion of generic substitutes from the market through allegations of product hop and reverse payment.

COMMODITIES

In re Commodity Exchange, Inc., Silver Futures and Options Trading Litig., MDL No. 2213 (S.D.N.Y.) This class alleges that the defendants intentionally manipulated the price of silver futures options contracts in violation of the Commodities Exchange Act.

In re: Dairy Farmers Of America, Inc. Cheese Antitrust Litig., MDL No. 2031, Master File No. 09-03690 (N.D. Ill.) This action alleges that Defendants conspired and agreed to fix or manipulate the prices of Chicago Mercantile Exchange Class III milk futures contracts, CME Cheese Spot Call contract.

In re First Commodity Corp. of Boston Customer Account Litig., MDL-713 (D. Mass). Class actions alleging violation of the anti-fraud provisions of the Commodity Exchange Act. The action settled for \$5.3 million. *See* 119 F.R.D. 301 (D. Mass. 1987).

In re Int'l Trading Group, Ltd. Customer Account Litig., No. 89-5545 RSWL (GHKx) (C.D. Cal.). Class action alleging violation of the anti-fraud provisions of the Commodity Exchange Act. The case settled with individual defendants and proceeded to a judgment against the corporate entity. In that phase, the Court awarded the Class a constructive trust and equitable lien over the corporation's assets and entered a \$492 million judgment in favor of the Class.

In re Soybean Futures Litig., No. 89-7009 (N.D. Ill.). A commodities manipulation class action against Ferruzzi Finanziaria, S.p.A. and related companies for unlawfully manipulating the soybean futures market in 1989. In December 1996, the court approved a settlement in the amount of \$21,500,000. *See* 892 F. Supp. 1025 (N.D. Ill. 1995). Mr. Miller served as Co-Lead Counsel for Plaintiffs.

In re Sumitomo Copper Litig., 96- 4584(MP) (S.D.N.Y.). Class action arising out of manipulation of the world copper market. On October 7, 1999, the court approved settlements aggregating \$134,600,000. *See* 189 F.R.D. 274 (S.D.N.Y. 1999). In awarding attorneys fees, Judge Milton Pollack noted that it was the largest class action recovery in the 75 plus year history of the Commodity Exchange Act. 74 F. Supp. 2d 393 (S.D.N.Y. Nov. 15, 1999). Additional reported opinions: 995 F. Supp. 451 (S.D.N.Y. 1998); 182 F.R.D. 85 (S.D.N.Y. 1998). Mr. Miller was appointed by Judge Pollack as Plaintiffs' Co-Lead Counsel.

Dennison v. BP Corp., No. 06-3334 (N.D. Ill.). This class action was commenced to recover damages as a result of defendant's alleged improper conduct in manipulating the price of propane. On February 10, 2010, the Court granted final approval of the \$15,250,000 cash settlement. Mr. Miller serves as Co-Lead Counsel in this consolidated Plaintiffs' class action.

Hershey, et al. v. Pacific Investment Management Co., No. 05-4681 (N.D. Ill.). This class action recovered for alleged violations of the Commodity Exchange Act when the Defendants improperly manipulated the Ten-Year Treasury bonds. On July 31, 2009, the Seventh Circuit Court of Appeals affirmed the decision that this case can proceed as a class action. On May 2, 2011, the Court entered a \$118.75 million judgment in favor of the class. Mr. Miller, at the request of Lead Counsel, served as *liaison* counsel for the Plaintiffs.

Smith v. Groover, 77-2297 (N.D. Ill.). A commodities fraud and antitrust class action against the Chicago Board of Trade and several floor traders involving the manipulation of the soybean market through bucketing. The case established that, in the Northern District of Illinois, a plaintiff has an implied private right of action under the Commodity Exchange Act and that an Exchange can be sued for negligence in failing to supervise its members. Mr. Miller was one of Plaintiff's counsel in this precedent making decision.

CONSUMER PROTECTION

Greene v. Sears Protection Company, et al., 15-cv-2546 (N.D. Ill.) – Miller Law LLC is co-lead counsel in this consumer protection action against Sears for breach of their agreements, deceptive practices, and unjust enrichment in which a nationwide class was certified.

Credit Protection Actions– This group of class action complaints contains allegations regarding the activities undertaken by various banks throughout the country who market and sell products associated with their credit cards known as “Credit Protect,” “Credit Protector,” “Payment Protector,” “PaymentAid,” “PaymentAid Plus,” and other monikers that all offer similar coverage that is indistinguishable from a contract of credit insurance but not sold as insurance.

In re Mercedes Benz Tele-Aid Contract Litig., MDL No. 1914, No. 07-2720 (D.N.J.). Plaintiffs sought compensatory and other damages for allegations relating to Mercedes Benz's failure to inform Mercedes vehicle purchasers of Model Years 2002 through 2006 that their analog-only Tele Aid systems would become obsolete and would stop functioning after December 31, 2007. The court granted class certification on April 27, 2009 and approved a settlement on September 9, 2011.

EMPLOYMENT

Bergman v. Kindred Healthcare, Inc., 10-191 (N.D. Ill). The firm filed this action with co-counsel to recover overtime wages for employees.

Camilotes v. Resurrection Healthcare and Saint Joseph Hospital, 10-0366 (N.D. Ill.). This is a nationwide collective action under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”), brought on behalf of a class of plaintiffs whose pay was subject to an unpaid “meal break”, and a statewide class action on behalf of all Illinois citizens to recover all unpaid wages under the Illinois Minimum Wage Law, (“IMWL”).

DeMarco v. Northwestern Memorial Healthcare and Northwestern Memorial Hospital, 10-00397 (N.D. Ill.) This is a nationwide collective action under the Fair Labor Standards Act, 29 U.S.C. §201 *et seq.* (“FLSA”), brought on behalf of a class of plaintiffs whose pay was subject to an unpaid

“meal break”, and a statewide class action on behalf of all Illinois citizens to recover all unpaid wages under the Illinois Minimum Wage Law, (“IMWL”).

Howard v. Securitas Sec. Servs., 08-2746 (N.D. Ill.). Miller Law and co-counsel, sought to recover overtime wages for employees. The Court granted class certification in January 2009.

King v. Heritage Enterprises, Inc., 10-3647 (N.D. Ill.) This collective action under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”), was brought on behalf of a class of plaintiffs whose pay was subject to an unpaid “meal break”.

SECURITIES

City of Lakeland Employees Pension Plan v. Baxter Int’l Inc., 10-06016 (N.D. Ill.) Miller Law LLC serves as liaison counsel in this securities fraud litigation that alleges defendants issued materially false and misleading statements regarding the Baxter’s plasma-derivative products business.

Lawrence E. Jaffe Pension Plan v. Household Int’l, 02-5893 (N.D. Ill.). The firm serves as *liaison* counsel and served on the trial team in this securities fraud litigation alleging that Household engaged in a variety of illegal sales practices and improper lending techniques to manipulate publicly reported financial statistics. The case was tried and the jury awarded a verdict in favor of plaintiffs.

Abrams v. Van Kampen Funds, Case No. 01-7538 (N.D. Ill.), involving a mutual fund that was charged with improperly valuating its net asset value. After extensive discovery, the case settled for in excess of \$31 million and was granted final approval.

Central Laborers’ Pension Fund v. Sirva, Inc., 04-7644 (N.D. Ill.). A \$53 million settlement was approved in this national securities class action which sought recovery from the defendant for violations of the securities laws because of the alleged failure to disclose to the investing public the true financial condition of the company. Mr. Miller served as Plaintiff’s *liaison* counsel at the request of Lead counsel.

Danis v. USN Communications, Inc., No. 98-7482 (N.D. Ill.). Securities fraud class action arising out of the collapse and subsequent bankruptcy of USN Communications, Inc. The court approved a \$44.7 million settlement with certain control persons and underwriters. Reported decisions: 73 F. Supp. 2d 923 (N.D. Ill. 1999); 189 F.R.D. 391 (N.D. Ill. 1999); 121 F. Supp. 2d 1183 (N.D. Ill. 2000). At the request of Co-Lead Counsel, Mr. Miller served as *liaison* counsel for Plaintiffs.

In re Archer-Daniels-Midland, Inc. Sec. Litig., No. 95-2287 (C.D. Ill.). A class action arising out of the Archer-Daniels-Midland price-fixing scandal. Plaintiffs brought claims for securities law violations which settled for \$30 million.

In re Baldwin-United Corp. Sec. Litig., MDL-581, (S.D.N.Y.). In this early multi-district securities class action, Plaintiffs’ counsel advanced the novel issue of whether Single Premium Deferred Annuities sold by the stock brokerage industry were securities and the sale of approximately \$4.2

billion were in violation of the federal and state securities laws. A \$180 million settlement was obtained and was one of the largest securities class action settlements at the time. In awarding interim counsel fees, Judge Charles Brieant commented "...that plaintiffs' attorneys [including Marvin A. Miller as co-lead counsel] had rendered extremely valuable services with diligence, energy and imagination, and are entitled to just compensation."

In re Bank One Shareholders Class Actions, No. 00-880 (N.D. Ill.). In this securities fraud class action against Bank One and certain officers, Judge Milton I. Shadur appointed Mr. Miller to draft the Consolidated Class Action Complaint. At the request of court-appointed lead counsel, Mr. Miller served as Plaintiffs' *liaison* counsel. Judge Shadur subsequently approved a \$45 million settlement.

In re Caremark Int'l. Inc. Sec. Litig., No. 94-4751 (N.D. Ill.). This action arose out of Caremark's allegedly improper financial arrangements with physicians. A \$25 million settlement concluded the litigation.

In re Nuveen Fund Litig., No. 94-360 (N.D. Ill.). Class action and derivative suit under the Investment Company Act arising out of coercive tender offerings in two closed-end mutual funds.

In re Prudential Sec. Inc. Ltd. Partnerships Litig., MDL 1005 (S.D.N.Y.). A nationwide multi-district class action arising out of Prudential Securities Incorporated's marketing and sale of speculative limited partnership interests. The final settlements produced an aggregate of more than \$132 million for injured investors.

In re Salton/Maxim Sec. Litig., No. 91-7693 (N.D. Ill.). Class action arising out of public offering of Salton/Maxim Housewares, Inc. stock. On September 23, 1994, Judge James S. Holderman (former Chief Judge of the United States District Court for the Northern District of Illinois) approved a multi-million dollar settlement achieved for the class, commenting that "it was a pleasure to preside over [the case] because of the skill and the quality of the lawyering on everyone's part in connection with the case."

In re Sears, Roebuck and Co. Sec. Litig., No. 02-07527 (N.D. Ill.). Sears settled a class action lawsuit for \$215 million in a case brought by shareholders. The case alleged breach of fiduciary duty for failing to prevent improper bankruptcy collection practices under the company's debt reaffirmation agreements. Mr. Miller served as plaintiff's *liaison* counsel in this nationwide securities case.

In re Telesphere Sec. Litig., 89-1875 (N.D. Ill.). In his opinion approving a class action settlement, Judge Milton I. Shadur referred to Marvin A. Miller as "...an experienced securities law class action litigator and who also has 20 years [now 45 years] practice under his belt. This Court has seen the quality of that lawyer's work in other litigation, and it is first-rate." 753 F.Supp. 716, 719 (N.D. Ill. 1990).

In re VMS Sec. Litig., 89-9448 (N.D. Ill.). A securities fraud class action and derivative suit relating to publicly traded real estate investments. The court certified a plaintiff class and subclasses of approximately 100,000 members, 136 F.R.D. 466 (N.D. Ill. 1991) and approved a class and derivative settlement worth \$98 million.

Garden City Employees' Retirement System v. Anixter Int'l Inc., 09-5641 (N.D. Ill.) This is a securities class action on behalf of purchasers of Anixter common stock during the class period seeking to pursue remedies under the Securities Exchange Act of 1934 (the "Exchange Act").

Horton v. Merrill Lynch, Pierce Fenner & Smith, Inc., No. 91-276-CIV-5-D (E.D.N.C.). A multi-million dollar settlement was approved in this securities fraud class action arising out of a broker's marketing of a speculative Australian security. The Court stated that "the experience of class counsel warrants affording their judgment appropriate deference in determining whether to approve the proposed settlement." 855 F. Supp. 825, 831 (E.D.N.C. 1994).

Hoxworth v. Blinder Robinson & Co., 88-0285 (E.D. Pa.). A securities fraud and RICO class action resulting from alleged manipulative practices and boiler-room operations in the sale of "penny stocks." Judgment in excess of \$70 million was entered and that judgment was affirmed by the Third Circuit Court of Appeals, 980 F.2d 912 (3rd Cir. 1992). *See also Hoxworth v. Blinder*, 74 F.3d 205 (10th Cir. 1996).

Jones v. Corus Bancshares, Inc., 09-1538 (N.D.Ill.) Miller Law LLC served as *liaison* counsel in this securities fraud action against Corus.

Makor Issues & Rights & Ltd. v. Tellabs, 02-4356 (N.D. Ill.). This securities fraud action alleges that Tellabs, a global supplier of optical networking, broadband access and voice-quality enhancement solutions to telecommunications carriers and internet service providers engaged in wrongdoing concerning certain of its core products. Mr. Miller serves as *liaison* counsel. The case was argued before the United States Supreme Court and created precedent for the pleading standard in securities cases. *Tellabs v. Makor Issues & Rights, Ltd.*, 127 S.Ct. 2499 (2007). The court granted class certification on February 24, 2009. The court granted final approval of a settlement on July 26, 2011.

Mirsky v. Ulta Salon, Cosmetics and Fragrance Inc., 07-7083 (N.D. Ill.). As alleged in the complaint, defendants issued materially false and misleading statements in connection with the IPO concerning ULTA's financial condition and the levels of its selling, general and administrative expenses inventories. The court approved settlement on November 16, 2009.

Silverman v. Motorola, 07-4507 (N.D. Ill.). Miller Law LLC serves as *liaison* counsel in this securities fraud action against Motorola—one of the world's largest producers of wireless handsets. The court granted class certification on August 25, 2009. The court approved a \$200 million settlement.

Plumbers and Pipefitters Local Union No. 630 Pension-Annuity Trust Fund v. Allscripts-Misys Healthcare Solutions, Inc., 09-4726 (N.D. Ill.) This is a securities class action on behalf of purchasers of Allscripts-Misys Healthcare Solutions, Inc. common stock during the class period seeking to pursue remedies under the Securities Exchange Act of 1934 (the "Exchange Act").

INTELLECTUAL PROPERTY

Acco Brands USA v. PC Guardian Anti-Theft Products, Inc., No. 06-7102 (N.D. Ill.). The firm represented one of the named defendants in this alleged patent infringement case.

Baxter Int'l v. McGaw, Inc., (N.D. Ill.). Mr. Miller, together with co-counsel, successfully represented the Defendant in this patent infringement case and served as a member of the trial team which won a jury verdict of non-infringement of three needleless injection sites and also obtained a finding that the Plaintiff had engaged in inequitable conduct on two of the patents. The Court also found that the Plaintiff engaged in inequitable conduct. The decision was affirmed by the Court of Appeals Federal Circuit. (96-1329, -1342, 97-1331, -1350 decided June 30, 1998).

Golden Bridge Technology v. AT&T Corp., et al., 10-428, 11-165 (consolidated) (D. Del.) represented plaintiff in this multi-defendant patent infringement litigation.

SHAREHOLDER AND DERIVATIVE ACTIONS

Kimberly Petersen, derivatively and on behalf of the Allstate Corp., No. 18-cv-03598 (N.D. Ill.) The firm serves as *liaison* counsel in this derivative action.

Murphy v. CDW Corp., 07-3033 (N.D. Ill.). The firm represents a class of the public shareholders of CDW Corporation who sued the company and its directors for breach of fiduciary duties in connection with their acceptance of the \$7.3 billion buyout. The complaint alleges, among other matters, that the price does not reflect the true value of the company to its shareholders. The firm has been appointed *liaison* counsel for the class. The Court entered an order approving the settlement on May 7, 2008.

Scott Wells, derivatively on behalf of Treehouse Foods, Inc., 2016-CH-16359, Circuit Court of Cook County. The firm is *liaison* counsel in this derivative action.

OTHER REPRESENTATIVE CASES

In re: Ameriquest Mortgage Co. Mortgage Lending Practices Litig., MDL No. 1715, (N.D. Ill.). This large multidistrict national class action against this “subprime” lender, challenges Ameriquest’s alleged predatory lending practices, “bait and switch”, faulty appraisals, improper late fees and hidden costs, among other practices, and seeks damages and remedial relief on behalf of borrowers. At Plaintiffs’ Co-lead counsel’s request, Mr. Miller serves as *liaison* counsel.

In re Sears, Roebuck and Co., ERISA Litig., 02-8324 (N.D. Ill.). Mr. Miller served as plaintiff’s *liaison* counsel in this nationwide action. Sears settled this ERISA action for \$14.5 million in cash. The case alleged breaches of fiduciary duties in contravention of the Employee Retirement Income Security Act of 1974. The plan participants will directly benefit from the resulting settlement.

PrimeCo Personal Communications, L.P. v. Ill. Commerce Comm’n., No. 98 CH 5500 (Circuit Court of Cook County, Ill.). This class action sought recovery of an unconstitutional infra-structure

maintenance fee imposed by municipalities on wireless telephone and pager customers in the State of Illinois. The court granted final approval to a settlement of more than \$31 million paid by the City of Chicago. Subsequently, the court certified a settlement class of all wireless users in the State of Illinois and a Defendant Class of municipalities throughout the state which collected Infrastructure Maintenance Fees from wireless users and approved a settlement for the Class in excess of \$11 million. Mr. Miller served as Co-lead counsel for Plaintiffs in this novel class action.

Rodriguez v. CenturyTel, Inc., 09-50006 (N.D. Ill.). In this FLSA action, Miller Law LLC recovered overtime and other wages for employees. The Court approved a settlement in September, 2009.

DEFENDANT REPRESENTATIONS

In addition to our representation of plaintiffs, Miller Law attorneys have also represented defendants in complex class actions and derivative suits, including *In re Del-Val Financial Corp. Sec. Litig.*, MDL-872 (S.D.N.Y.); *In re Kenbee Limited Partnership Litig.*, No. 91-2174 (D.N.J.); *Weiss v. Winner's Circle of Chicago, Inc.*, No. 91-2780 (N.D. Ill.); *Levy v. Stern*, No. 11955 (New Castle County, Delaware). The court's decision in *In re Del-Val Financial Corp. Sec. Litig.*, 868 F. Supp. 547 (S.D.N.Y. 1994) resulted in a significant extension of the law concerning partial settlements of securities fraud class actions.

In the area of Intellectual Property, Miller Law attorneys represented McGaw, Inc. in an alleged patent infringement jury trial. The jury found in favor of our client and the decision was affirmed by the Federal Circuit. (96-1329, -1342, 97-1331, -1350 decided June 30, 1998); and represent Elizabeth Arden, Inc. for alleged violation of improperly extending patents, No. 10 C 3491) (N.D. Ill.). Mr. Miller also represents defendant PSMJ Resources, Inc. in the *Modern Trade Communications, Inc. v. PSMJ Resources, Inc.*, 10-5380 (N.D. Ill.)

Individual Biographies

MARVIN A. MILLER has 47 years of commercial and class action litigation experience. Mr. Miller has been lead or co-lead counsel across the full spectrum of industries (airline, cell and telephone, financial services, Internet and technology, manufacturing, pharmaceuticals, retailing, stock broker and exchange, and utilities) and practices (antitrust, consumer and investor fraud and protection, employment and employee benefits, insurance, shareholder derivative actions) that encompasses Miller Law LLC's practice. Mr. Miller holds an AV Pre-eminent (highest) rating from Martindale-Hubbell. Each year from January 2007 through 2013 and 2015, 2016, and 2017, Law & Politics and the publishers of Chicago Magazine named Mr. Miller an Illinois Super Lawyer. Super Lawyers are the top 5 percent of attorneys in Illinois, as chosen by their peers and through the independent research of Law & Politics. Mr. Miller has also served as a panelist for Practising Law Institute.

Prior to founding Miller Law LLC, Mr. Miller was a co-founder of another national class action law firm. Throughout his career in class action jurisprudence, Mr. Miller has represented shareholders and investors in high profile and precedent-setting class action litigation involving such companies as Continental Illinois National Bank and Trust and Baldwin United Corporation. He was lead attorney in *Smith v. Groover*, in which he represented clients against the Chicago Board of Trade and

several of its traders; the decision in the case, later affirmed, *sub. nom.*, in *Curran v. Merrill Lynch Pierce Fenner & Smith*, by the U.S. Supreme Court, established the precedent that an individual has an implied private right of action to sue an Exchange for negligence in failing to supervise its members.

Mr. Miller is a 1970 graduate of Illinois Institute of Technology-Chicago-Kent College of Law, where he was a member of the Editorial Board of the *Chicago-Kent Law Review*. He received his undergraduate degree from Hofstra University in 1967. He is admitted to the state bars of Illinois and New York, the Supreme Court of the United States, the United States Court of Appeals for the Third, Fourth, Sixth, Seventh, Eleventh Circuits, and Federal Circuit, the United States District Courts for the Northern District of Illinois (including the Trial Bar), Southern District of New York, Eastern District of Michigan and Northern District of California. Mr. Miller is a member of the Chicago Bar Association and the Illinois State Bar Association and served as Chair of the *Cy Pres* Committee of the Illinois Bar Foundation.

ANDREW SZOT handles complex commercial litigation matters throughout the United States on behalf of individuals, organizations and companies, including the prosecution of class actions involving antitrust violations, commercial fraud, violations of the federal Motor Carrier Safety Administration Truth-in-Leasing statute and corresponding federal regulations, as well as actions brought pursuant to the federal False Claims Act (*qui tam* actions). Mr. Szot's advocacy has helped achieve significant victories for several indirect purchaser classes, such as in *In re: Polyurethane Antitrust Litigation* (\$150 million class settlement for indirect purchasers); *In re: Potash Antitrust Litigation (II) (N.D. Ill.)* (\$17.5 million class settlement for indirect purchasers); and *In re: Flonase Antitrust Litig. (E.D. Pa.)* (\$46 million class settlement for indirect purchasers). Most recently, on behalf of a class of indirect purchasers, Mr. Szot successfully obtained final approval of a \$33 million settlement package for the class stemming from alleged price-fixing and bid-rigging of liquid aluminum sulfate, a water treatment chemical. The \$33 million settlement likely exceeded one hundred percent of the estimated, aggregated treble damages sustained by the class. Mr. Szot has been repeatedly selected as an Illinois *Rising Star* in litigation.

Mr. Szot received his Bachelor of Arts in History, with distinction, in 1997 from the University of Michigan in Ann Arbor, and earned his law degree from the University of Michigan Law School in 2000. He is a member of the Illinois State Bar (2001), the U.S. Court of Appeals for the Seventh Circuit (2001), the U.S. District Court for the Northern District of Illinois (2001), the U.S. District Court for the Eastern District of Wisconsin (2007), the U.S. District Court of Colorado (2011) and the Federal Trial Bar for the Northern District of Illinois (2007).

Before entering law school, Mr. Szot spent a year teaching and mentoring disadvantaged elementary school students as an AmeriCorps service volunteer, earning him a nomination for the Michigan Governor's Service Award. From June 2012 to June 2014, he served as co-chairperson of the Human Rights Committee of the Chicago Bar Association. He also served on the Advisory Board of Art Works Projects for Human Rights, and was a member of the legal advisory team for *The Prosecutors*, a documentary film about the prosecution of sexual crimes in conflict areas.

LORIA A. FANNING concentrates her practice on complex class litigation in a wide range of matters in federal and state court, primarily in the areas of consumer protection, antitrust, derivatives, and securities. She has prosecuted a variety of lawsuits involving the airline, banking, credit card, internet, pharmaceutical, and insurance industries. Ms. Fanning currently litigates antitrust claims in the pharmaceutical sector, including such cases as Effexor, Loestrin, Namenda, Niaspan, Suboxone, and Zetia) and previously in such actions as Aggrenox and Solodyn and Ms. Fanning represented the End Payor Class in Flonase as co-lead counsel for the End Payor Class. She has also prosecuted actions such as *In re: Polyurethane Antitrust Litigation* which settled for over \$150 million; consumer protection actions, such as *Greene v. Sears Protection Company, et al.*, 15-cv-2546 (N.D. Ill.) where a nationwide class was certified and has defended patent litigation on behalf of Datamation Systems, Inc. Ms. Fanning actively participated in the trial preparations for *In re Visa Check/MasterMoney Antitrust Litigation*, a civil antitrust case that settled for in excess of \$3 billion on the eve of trial. Prior to attending law school, she enjoyed a successful career as a logistician with the United States government at the Naval Sea Systems Command in the Washington, D.C. area in support of Foreign Military Sales, new ship construction, and naval equipment. For her dedication, the Department of the Navy honored her with the Meritorious Civilian Service medal.

Ms. Fanning received her law degree with honors and a Certificate in Litigation and Alternative Dispute Resolution from the Illinois Institute of Technology/Chicago-Kent College of Law. She also earned a Master of Science in Administration from Central Michigan University, and a B.A. from the University of Nebraska at Omaha. She is admitted to practice in the state of Illinois and the federal district courts for the Northern District of Illinois, the Eastern District of Wisconsin, and the United States Courts of Appeals for the Seventh and Ninth Circuits. Ms. Fanning is a member of the American Bar Association. Ms. Fanning also serves on the board of a non-profit, Intrigue Performance Dance Company. IPDC raises money for dance scholarships for dancers who could not otherwise afford to pursue their passion for dance.

MATTHEW E. VAN TINE focuses his practice on antitrust, securities fraud, and consumer protection matters. He has participated in the prosecution and defense of many securities, antitrust, and consumer class actions over the past two decades including securities litigation against Van Kampen Funds and Baxter International; antitrust class actions involving nurses' wages, the drug warfarin sodium (Coumadin), and an industry-wide effort to raise drug prices paid by retail drug stores (the Brand Name Prescription Drug Antitrust Litigation); and litigation on behalf of consumers challenging an unconstitutional fee imposed on wireless and landline phone customers. Before associating with Miller Law LLC, Mr. Van Tine was affiliated with two other class action boutique law firms for fourteen years. Mr. Van Tine has also practiced with large law firms in Chicago and Boston and served as an Assistant Corporation Counsel for the City of Chicago Law Department.

Mr. Van Tine received his A.B. degree *cum laude* from Harvard College in 1980, and his J.D. degree *magna cum laude* from Boston University School of Law in 1983, where he served as an Executive Editor of the Law Review and was the author of Note, *Application of the Federal Parole Guidelines to Certain Prisoners: An Ex Post Facto Violation*, 62 B.U.L. Rev. 515 (1982). Following law school, Mr. Van Tine served as a law clerk to the Honorable Raymond J. Pettine of the United States District Court for the District of Rhode Island. Mr. Van Tine's practice admissions include the state

bars of Illinois and Massachusetts, the Supreme Court of the United States, the United States Court of Appeals for the Seventh Circuit and the United States District Courts for the Northern District of Illinois and the District of Massachusetts. He is a member of the Chicago and American Bar Associations and served as a past President of the Abraham Lincoln Marovitz American Inn of Court.

KATHLEEN E. BOYCHUCK focuses her practice on antitrust and consumer protection complex class litigation. Ms. Boychuck currently manages the electronic discovery review for document-intensive, multi-defendant antitrust class actions. She is active in the prosecution of a matter against a major U.S. pharmaceutical company relating to conduct which has caused generic delay into the market.

Ms. Boychuck graduated from The John Marshall Law School. While in law school, she appeared on the Dean's List. Ms. Boychuck also participated in a study abroad program with a concentration in international human rights in Salzburg, Austria, taught by the Honorable Anthony M. Kennedy, Associate Justice of the United States Supreme Court. Ms. Boychuck received her Bachelor of Arts in Political Science from the University of Wisconsin-Madison. She interned for the American Bar Association's Standing Committee on Law and National Security in Washington, D.C., in support of the legal response to terrorism, weapons of mass destruction and information warfare.

She is admitted to practice in the state of Illinois and the United States District Court for the Northern District of Illinois. Ms. Boychuck is a member of the American Bar Association.

Exhibit 2

Miller Law LLC

Summary by Timekeeper and Activity

Title	Person	Rate	Hours	Lodestar
Attorney	Marvin A. Miller	\$975.00	433.3	\$422,467.50
Attorney	Andrew Szot	\$785.00	742.50	\$582,862.50
Attorney	Lori Fanning	\$785.00	1.9	\$1,491.50
Attorney	Kathleen Boychuck	\$725.00	4.2	\$3,045.00
Paralegal	Dena Robinson	\$375.00	79.9	\$29,962.50
Docket Clerk	Jorge Ramirez	\$325.00	144.4	\$46,930.00
Office Mgr.	Anne Jewell	\$475.00	1.1	\$525.00
			TOTAL	\$1,087,284.50

EXHIBIT 3

Account No: 1337-000C
Statement No: 1512

Costs only

Draft Statement

COSTS ADVANCED

Telephone charges	15.00
Postage	12.60
Travel/Hotel/Meals expense	2,125.79
Electronic Filing/Court Docket charges	77.80
Filing fees	428.60
Overnight Delivery	28.38
Service of Process	1,435.51
Online legal research	7,651.03
Litigation Fund Contribution	7,000.00
JND eDiscovery - Hosting Services	600.00
Total Costs	19,374.71
Total for this Statement	19,374.71
Balance Due	<u>\$19,374.71</u>

Factual research and prefilling investigation

Draft Statement

Hours

07/26/2020	AS	Email correspondence with MAM regarding potential new case	0.40	314.00
	AS	Conduct factual investigation to assist in the preparation of litigation strategy and drafting of the complaint	2.60	2,041.00
07/27/2020	AS	Continue to conduct factual and legal investigation for purposes of determining litigation strategy and preparation of complaint and identification of causes of action	2.80	2,198.00
	MAM	Investigation of potential claims for RICO and derivative action and for ratepayer claims; tel w/KPRoddy and communications w/RK, KPR, AS and Jay S re: same; review several cases		n/c
07/28/2020	AS	Multiple emails with co-counsel concerning strategy and the preparation of class action complaint	0.80	628.00
	AS	Continue to conduct factual and legal investigation for purposes of evaluating litigation strategy and options	3.40	2,669.00
	AS	Conduct analysis of various, relevant complaints and other materials for purposes of determining litigation strategy	2.10	1,648.50
	MAM	Investigation of facts and possible claims and client profile	2.70	2,632.50
07/29/2020	AS	Prepare for and participate in conference call regarding filing of complaint and overall strategy	2.70	2,119.50
	AS	Research case law for purposes of identifying and drafting allegations in the proposed complaint, including potential causes of action	2.90	2,276.50
	MAM	Telephone conference with AS, RK, KRP re: pre of complaint and claims	0.40	390.00
	MAM	Telephone conference with RK, Dennis and Margaret Murray re: status of filing, strategy and claims for complaint	0.30	292.50
	MAM	Legal research re: possible claims, declaratory judgment, takings clause, Ohio civil conspiracy and strategy for venues	2.20	2,145.00
07/30/2020	MAM	Telephone conference with AS, RK and KPR re: prep of complaint and selection of venue in light of indictments	0.40	390.00
	MAM	Draft and revise complaint and research Declaratory Judgment Act	1.40	1,365.00
	AS	Draft civil conspiracy section of complaint	0.80	628.00
	AS	Continue to research case law for purposes of preparing civil conspiracy insert to draft complaint	0.70	549.50
	AS	Multiple emails with co-counsel regarding drafting of complaint and litigation strategy	0.80	628.00
	AS	Review, analyze, and comment on draft complaint	1.70	1,334.50
	LAF	Conflicts check	0.20	157.00
07/31/2020	MAM	Draft and revise complaint and research accounting decisions; communication w/co-counsel re: same	1.40	1,365.00
	AS	Research case law for purposes of determining whether or not to include a claim for accounting in the complaint	1.70	1,334.50
	AS	Draft and revise potential insert that includes claim for accounting in the complaint	0.60	471.00
	AS	Multiple emails and calls with co-counsel regarding litigation strategy, including		

Account No: 1337-001C
Statement No: 1513

Factual research and prefilling investigation

			Hours	
	AS	an evaluation and identification of which claims to assert in the complaint	0.90	706.50
	AS	Email correspondence with co-counsel regarding filing of complaint	0.30	235.50
08/03/2020	AS	Continue to conduct factual analysis to prepare litigation strategy	1.10	863.50
08/05/2020	AS	Conduct factual investigation to determine whether, and to what extent, additional lawsuits have been filed	1.80	1,413.00
08/10/2020	AS	Conduct various searches to determine whether and to what extent additional complaints have been filed	1.20	942.00
08/11/2020	AS	Communicate with MAM regarding ComEd RICO case	0.40	314.00
	AS	Review and analyze circulated case law pertinent to claims asserted in complaints	1.10	863.50
08/17/2020	MAM	Review and analyze FES 10Q	0.60	585.00
	MAM	Review and analyze FES 10Q, and further factual research into claims and consolidated complaint	0.90	877.50
08/19/2020	MAM	Review and analyze Garland articles and materials for further support of allegations for consolidated complaint	0.60	585.00
08/20/2020	MAM	Review and analyze materials received from RJK to support further allegations for consolidated complaint	1.10	1,072.50
09/23/2020	MAM	Review and analyze AG complaint for additional facts for consolidated complaint	0.40	390.00
09/29/2020	AS	Review recent articles and continue to conduct factual investigation for purposes of preparing consolidated complaint	2.10	1,648.50
03/11/2021	MAM	Review and analyze articles and order re: recent ruling on whistleblower case and impact on this case	0.40	390.00
07/31/2021	AS	Conduct factual investigation for purposes of assessing and revising litigation strategy in light of recent developments, filings, and news articles pertaining to this case	2.20	1,727.00
08/04/2021	MAM	Review and analyze article and communication from MM re: statements by PUCO in connection with payments to Randazzo and ratepayers	0.40	390.00
		For Current Services Rendered	48.50	40,580.50
		Total Non-billable Hours	2.80	

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Marvin A. Miller	13.20	\$975.00	\$12,870.00
Lori A. Fanning	0.20	785.00	157.00
Andrew Szot	35.10	785.00	27,553.50

Total for this Statement

40,580.50

Account No: 1337-001C
Statement No: 1513

Factual research and prefilling investigation

Balance Due

\$40,580.50

Legal research, motions, memoranda

Draft Statement

Hours

07/30/2020	DR	Edits to complaint	0.50	187.50
08/02/2020	AS	Email correspondence regarding recent article concerning certain Defendants, and co-conspirators, named in complaint	0.20	157.00
08/03/2020	MAM	Communicate with co-counsel re: strategy for consolidation, venue, injunction	0.70	682.50
	DR	Drafted letters to supreme court of Illinois requesting certificates of good standing for M. Miller and A. Szot	0.30	112.50
	DR	Drafted motions for admission pro hac vice on behalf of M. Miller and A. Szot	0.40	150.00
	AS	Email correspondence with Kimberly Conklin regarding civil cover sheet	0.20	157.00
	MAM	Communicate with co-counsel re: strategy for consolidation, venue, injunction	0.70	682.50
08/04/2020	AS	Draft email to DNR regarding needed Westlaw alerts	0.80	628.00
08/05/2020	MAM	Draft and revise new complaint for Columbus	0.40	390.00
	AS	Draft, revise, and edit Columbus complaint	1.20	942.00
	AS	Email correspondence regarding litigation strategy and filing of complaint in Columbus, OH	0.40	314.00
	AS	Review local rules for purposes of preparing complaint	0.60	471.00
	MAM	Draft and revise new complaint for Columbus	0.40	390.00
08/06/2020	DR	Set up alerts in Westlaw to track dockets with First Energy as a defendant in Federal and State matters	0.50	187.50
08/07/2020	MAM	Communicate with RK and Dennis Murray re: leadership structure and status of case filed in Akron	0.10	97.50
	MAM	Communicate with RK and Dennis Murray re: leadership structure and status of case filed in Akron	0.10	97.50
08/20/2020	MAM	Review and analyze revisions to motion to consolidate and for appointment of interim lead counsel	0.40	390.00
08/24/2020	DR	Email correspondence to M. Miller re pro hac vice applications	0.10	37.50
	DR	Email correspondence to M. McGuckin re pro hac vice applications	0.10	37.50
	AS	Conduct analysis of recently filed complaints and other filings in other potentially related cases for purposes of assessing need to supplement or revise motion for appointment of interim co-lead counsel	1.30	1,020.50
08/25/2020	DR	Prepared FedEx package enclosing pro hac vice applications	0.20	75.00
08/31/2020	MAM	Communicate with co-counsel re: motion to consolidate and for leadership structure	0.20	195.00
	JR	Review documents and update electronic case file with recent pleadings	1.50	487.50
	AS	Revise and edit motion or appointment of interim lead counsel	0.40	314.00
	AS	Email correspondence relating to motion for appointment of interim lead counsel	0.40	314.00
	AS	Email correspondence with co-counsel regarding strategy relating to lead		

Legal research, motions, memoranda

			Hours	
		counsel motion	0.30	235.50
09/01/2020	AS	Email correspondence with DNR regarding status of PHV application	0.10	78.50
09/03/2020	AS	Draft email and review file in relation to fixing Court's briefing schedule order error	0.80	628.00
09/06/2020	AS	Email correspondence with R. Kerger regarding recent newspaper articles relating to facts relevant to filed complaints	0.20	157.00
09/10/2020	MAM	Communicate with co-counsel re: possible new claim and research in connection with same	0.20	195.00
09/11/2020	MAM	Review and analyze asset freeze memo and case	0.40	390.00
09/30/2020	AS	Research case law to prepare consolidated amended complaint	2.10	1,648.50
10/02/2020	MAM	Review and analyze communications from co-counsel re: judge's preference, cases from 6th and dist court on MTD	0.40	390.00
10/06/2020	AS	Research case law to prepare and amended complaint	4.10	3,218.50
	AS	Revise and edit draft amended complaint	1.60	1,256.00
10/07/2020	AS	Continue to revise and edit amended complaint	3.60	2,826.00
10/15/2020	MAM	Review and analyze preliminary draft of opposition to anticipated MTD and communication with co-counsel	0.20	195.00
	AS	Conduct research for purposes of preparing for anticipated motion to dismiss	3.10	2,433.50
10/16/2020	AS	Research case law for purposes of defeating anticipated motion to dismiss	4.20	3,297.00
10/23/2020	DR	Converted and edited stipulated discovery plans; emailed same to M. Miller	0.30	112.50
	AS	Revise and edit draft of opposition to motion to dismiss	1.30	1,020.50
	AS	Conference call with co-counsel regarding strategy with respect to motion to dismiss and outstanding items	0.70	549.50
10/28/2020	AS	Continue to conduct research to prepare opposition to motion to dismiss	3.60	2,826.00
10/29/2020	MAM	Review and analyze opp to MTD and reports in connection with prosecution and pleas	1.40	1,365.00
10/30/2020	MAM	Telephone conference with co-counsel and defense counsel re: discovery plan	0.40	390.00
	MAM	Draft and revise discovery plan and protocol	1.40	1,365.00
	JR	Review documents and update electronic case file with recent pleadings	4.50	1,462.50
	AS	Continue to conduct research for purposes of preparing opposition to motion to dismiss	3.60	2,826.00
11/06/2020	AS	Conference call with co-counsel regarding preparation of response to motion to dismiss	0.70	549.50
11/09/2020	MAM	Draft and revise opp to MTD	1.20	1,170.00

Legal research, motions, memoranda

Hours

11/10/2020	MAM	Draft and revise Protocols, Detailed Discovery Plan and Memo in opposition to MTD; communications with co-counsel re: same	2.10	2,047.50
11/12/2020	AS	Conduct research to draft various sections of the opposition to Defendants' motion to dismiss	6.70	5,259.50
	AS	Draft, revise, and edit section of opposition to motion to dismiss concerning legislative immunity	2.10	1,648.50
11/13/2020	AS	Continue to conduct research to prepare opposition to motion to dismiss	4.60	3,611.00
	AS	Draft, revise, and edit insert opposing Defs' effort to dismiss state law claims	1.90	1,491.50
11/14/2020	MAM	Draft and revise final iteration of 26f report, detailed discovery plan and protocols	0.60	585.00
	AS	Review and analyze additional case law for purposes of preparing response in opposition to motion to dismiss	0.70	549.50
11/15/2020	AS	Conduct factual and legal investigation to revise section of response to MTD re: unjust enrichment claims	2.10	1,648.50
	AS	Revise and edit section of response in opposition to motion to dismiss concerning unjust enrichment claim	0.60	471.00
	AS	Email correspondence with co-counsel concerning status of draft of opposition to motion to dismiss	0.10	78.50
11/16/2020	AS	Revise and edit proposed Rule 26(f) submission	0.90	706.50
11/18/2020	AS	Revise and edit response in opposition to motion to dismiss	2.10	1,648.50
	AS	Conduct research to prepare response in opposition to motion to dismiss	3.90	3,061.50
11/19/2020	MAM	Draft and revise discovery protocols and discovery plan	1.80	1,755.00
11/20/2020	AS	Continue to edit and review response in opposition to defendants' motion to dismiss	1.40	1,099.00
11/25/2020	MAM	Draft and revise motion for accounting, constructive trust, review cases and numerous communications with co-counsel	3.10	3,022.50
	AS	Multiple emails with co-counsel regarding pending motion to stay and strategy with respect to same	0.80	628.00
11/26/2020	MAM	Draft and revise motion for constructive trust and review case and statute for jurisdiction of court for such equitable relief; communications w.co-counsel re: same	2.70	2,632.50
	MAM	Draft and revise motion for constructive trust and review case and statutes, MTD opp for prep of arguments and communications w/co-counsel re: same	2.70	2,632.50
11/27/2020	MAM	Draft and revise motion for constructive trust and discovery in support; communications with co-counsel re: same	2.10	2,047.50
11/28/2020	AS	Conduct research for purposes of preparing response in opposition to motion to dismiss	2.70	2,119.50
11/30/2020	MAM	Draft and revise Motion for accounting and constructive trust; communications with co-counsel re: same	1.70	1,657.50

Legal research, motions, memoranda

			Hours	
	AS	Conduct and analyze research for purposes of preparing response in opposition to motion to stay discovery	3.50	2,747.50
	AS	Draft, revise and edit certain sections of the draft response in opposition to motion to stay	3.50	2,747.50
	AS	Communicate with R. Kerger regarding strategy with respect to response in opposition to motion to stay	0.40	314.00
	DR	Searched Westlaw for requested responses in opposition to motions to stay; emailed same to A. Szot	0.30	112.50
	JR	Review documents and update electronic case file with recent pleadings	3.50	1,137.50
	MAM	Draft and revise motion for constructive trust and opp to motion by depts for stay	1.10	1,072.50
12/01/2020	MAM	Telephone conference with co-counsel re: strategy for 26f report, constructive trust motion, discovery plan and protocols	0.50	487.50
	MAM	Draft and revise opp to motion for stay	0.70	682.50
	AS	Research case law for purposes of preparing response in opposition to motion to stay	2.90	2,276.50
12/02/2020	MAM	Draft and revise opposition to motion to stay and revise 26f and discovery plan and communications with co-counsel re: same	1.10	1,072.50
	AS	Revise and edit response in opposition to Defendants' motion to stay discovery	3.90	3,061.50
	AS	Conduct research to prepare and revise response in opposition to Defendants' motion to stay discovery.	1.30	1,020.50
12/03/2020	DR	Reviewed, edited, cite-checked, and blue-booked response in opposition of motion to stay	4.30	1,612.50
	AS	Revise and edit draft response in opposition to motion to stay	0.90	706.50
12/04/2020	MAM	Draft and revise 26f report and communications w/co-counsel re: same and final iteration of Opp to MTS	0.60	585.00
	AS	Make final edits and revisions to opposition to motion to stay	0.80	628.00
12/05/2020	AS	Email correspondence re: Rule 26(f) report	0.20	157.00
12/10/2020	AS	Analyze Defendants' reply in support of its motion to dismiss for purposes of determining, among other things, whether a sur-reply is necessary	1.30	1,020.50
12/23/2020	MAM	Telephone conference with KR, RK, DM and MM re: strategy on submission ordered in connection with Stay	0.40	390.00
	MAM	Draft and revise Stay letter brief requested by Mag. Judge Jolson	0.90	877.50
12/24/2020	MAM	Draft and revise letter brief per Jolson order re: impact of Franklin county stay	0.70	682.50
12/31/2020	JR	Review documents and update electronic case file with recent pleadings	6.00	1,950.00
01/04/2021	MAM	Review and analyze defendants' letter briefs in connection with stay of discovery	0.40	390.00
	AS	Email correspondence re: supplemental letter brief re: motion to stay of discovery	0.40	314.00
	AS	Review and analyze supplemental letter brief re: motion to stay of discovery	0.30	235.50
01/26/2021	DR	Searched Westlaw for requested documents; emailed same to A. Szot	0.10	37.50

Account No: 1337-002C
Statement No: 1514

Legal research, motions, memoranda

			Hours	
01/29/2021	JR	Review documents and update electronic case file with recent pleadings	5.00	1,625.00
02/02/2021	MAM	Review and analyze recent 6th Cir class cert decision	0.60	585.00
02/11/2021	MAM	Review and analyze decision on defendants' motion for stay and communication with co-counsel re: next steps as a result of decision	0.40	390.00
	AS	Analyze Court's decision denying defendants' motion to dismiss in its entirety	0.90	706.50
	AS	Examine and research case law for purposes of determining 26(f) strategy	1.50	1,177.50
02/12/2021	AS	Conduct research on class certification for purposes of determining Rule 23(f) strategy	2.10	1,648.50
02/17/2021	KEB	Emails with AS re: sovereign immunity and municipalities	0.30	217.50
	KEB	Review and analyze research re: state sovereign immunity, the Eleventh Amendment, and municipalities	0.70	507.50
02/22/2021	KEB	Review and analyze opinion and order denying Defendants' motion to dismiss	0.40	290.00
02/23/2021	LAF	Email exchange with Jorge Ramirez re: identifying filings in a case	0.20	157.00
02/26/2021	JR	Review documents and update electronic case file with recent pleadings	4.00	1,300.00
03/01/2021	DR	Searched Westlaw for Owens v. FirstEnergy Corp. amended complaint; emailed same to A. Szot	0.10	37.50
03/05/2021	DR	Searched Westlaw for examples of Touhy filings; emailed same to A. Szot	2.70	1,012.50
03/11/2021	MAM	Communicate with co-counsel and review Calabrese order on Show Cause in Pircio case	0.40	390.00
03/31/2021	JR	Review documents and update electronic case file with recent pleadings	6.00	1,950.00
04/16/2021	DR	Pulled briefs related to Plaintiff's motion for leave to serve preservation subpoenas on various third parties (Caston v. Hoaglin) from Westlaw; emailed same to A. Szot	0.60	225.00
	AS	Continue to research applicable law concerning preservation of evidence obligations and spoliation	2.20	1,727.00
04/21/2021	MAM	Review and analyze defendants' motion and memo for protective order	0.40	390.00
04/22/2021	MAM	Review and analyze motion for protective order and briefing schedule	0.90	877.50
	MAM	Communicate with communication from KPR re: response to defendants' motion for Protective Order	0.10	97.50
04/23/2021	MAM	Review and analyze article and communications from Cheryl Roberto	0.40	390.00
04/25/2021	MAM	Draft and revise opp to motion for Protective Order	0.60	585.00
	MAM	Draft and revise opp to motion for Protective Order	0.60	585.00
04/28/2021	MAM	Review and analyze memo from Eric Marcy re: outing whistleblower impact on merits and class discovery and suggestions on advancing case	0.40	390.00

Legal research, motions, memoranda

			Hours	
04/30/2021	JR	Review documents and update electronic case file with recent pleadings	9.00	2,925.00
05/12/2021	MAM	Review and analyze RICO Damages issue	0.70	682.50
05/14/2021	MAM	Review and analyze communication and cases from KPR re: RICO damages and setoffs; communications from DM also re: same	0.90	877.50
	AS	Review and analyze order on Defendants' motion for a two-tiered confidentiality protective order	0.40	314.00
05/15/2021	MAM	Review and analyze cases from Roddy in connection with RICO damages	1.20	1,170.00
05/31/2021	JR	Review documents and update electronic case file with recent pleadings for May	9.00	2,925.00
06/17/2021	MAM	Review and analyze draft of mediation statement	0.40	390.00
06/24/2021	MAM	Draft and revise class cert brief	1.20	1,170.00
06/25/2021	MAM	Draft and revise class cert motion, memo in support of class cert, affidavits from clients in support of class cert; communications with DM, MM and RK re: same	5.40	5,265.00
06/30/2021	JR	Review documents and update electronic case file with recent pleadings	9.00	2,925.00
07/07/2021	MAM	Draft and revise mediation statement	2.70	2,632.50
07/08/2021	MAM	Draft and revise mediation statement, confidential position letter to mediator, review article sent by MM, review edits from KPR to demand letter and mediation statement	3.70	3,607.50
07/09/2021	MAM	Draft and revise mediation statement and review additional materials in connection with same	0.70	682.50
07/13/2021	MAM	Draft and revise letter to mediator, mediation statement, tel w/AS, RK, DM and MM re same; research parents of state and municipalities	3.60	3,510.00
	KEB	Emails with AS re: Eleventh Amendment research	0.20	145.00
07/15/2021	MAM	Draft and revise mediation statement and communications w/defense counsel re: same	2.10	2,047.50
07/23/2021	AS	Conduct legal research concerning legislative immunity arguments raised by Energy Harbor in its mediation statement	4.90	3,846.50
07/30/2021	MAM	Draft and revise consolidate "amended" complaint to add EH as a defendant and claims; communications w/co-counsel re: same; research re: joinder (mandatory/permissive); tel w/AS re: same and Rule 15	1.70	1,657.50
	AS	Revise and edit draft amended complaint concerning Energy	0.60	471.00
	AS	Research law regarding FirstEnergy's purported legislative ratification defense	2.80	2,198.00
	AS	Research law concerning whether to add Energy Harbor to existing action or separate action	2.10	1,648.50
	AS	Participate in call with co-counsel regarding contemplated claim/lawsuit against Energy Harbor	0.40	314.00

Legal research, motions, memoranda

Hours

07/31/2021	JR	Review documents and update electronic case file with recent pleadings for July	6.00	1,950.00
08/02/2021	AS	Review Court's minute entry order regarding subject matter jurisdiction and email correspondence with MAM concerning same	0.50	392.50
08/03/2021	AS	Continue to research legislative ratification defense	4.80	3,768.00
	AS	Email correspondence with Rane Saunders regarding research concerning legislative ratification defense	0.20	157.00
08/04/2021	AS	Prepare for and participate in conference call with M. Murray and R. Saunders regarding research pertaining to legislative ratification defense	0.60	471.00
08/06/2021	DR	Edits to joint prosecution, common interest, and confidentiality agreement	2.50	937.50
	DR	Organized and renamed case filings to upload to SharePoint; uploaded case filings, discovery, and correspondence to SharePoint	1.70	637.50
08/11/2021	AS	Draft and send follow up meet and confer letter to defendants	1.10	863.50
08/30/2021	AS	Research 6th Circuit law in order to prepare discovery request on the United States for FBI witness interview notes	3.10	2,433.50
	AS	Draft subpoena rider requesting FBI witness interview notes from the DOJ	1.30	1,020.50
	AS	Review and analyze file for purposes of preparing Touhy request seeking FBI witness interview notes from the DOJ	0.60	471.00
08/31/2021	AS	Continue to research applicable law to prepare request to the Department of Justice concerning FBI witness interview recordings	0.50	392.50
	JR	Review documents and update electronic case file with recent pleadings for August	7.00	2,275.00
09/10/2021	MAM	Review and analyze MTD Gress decision	0.30	292.50
09/24/2021	AS	Make final revisions and conduct final proof and review of motion to amend, including the draft amended consolidated complaint	1.20	942.00
09/27/2021	DR	Call with A. Szot re filing of amended complaint	0.20	75.00
	DR	Email to M. Murray to obtain copy of final operative complaint to compare to final amended complaint	0.10	37.50
	DR	Ran comparison of operative complaint with final amended draft complaint	0.10	37.50
	DR	Proofread and edited motion to add parties to complaint	0.20	75.00
	DR	Gathered exhibits to motion to add parties to complaint	0.40	150.00
	DR	Final edits to motion to add parties to complaint and supporting documents	0.90	337.50
	AS	Continue final proof and review of amended consolidated complaint	0.60	471.00
09/28/2021	DR	Gathered organizational documents for Oxley Group; emailed same to A. Szot	0.30	112.50
	DR	Downloaded filed stamped motion to add additional parties to complaint and supporting documents; emailed same to A. Szot	0.10	37.50
09/30/2021	JR	Review documents and update electronic case file with recent pleadings for August	5.00	1,625.00

Legal research, motions, memoranda

			Hours	
10/05/2021	MAM	Review and analyze Umbrella damages memo from AS	0.40	390.00
10/18/2021	AS	Review and analyze FirstEnergy's response to plaintiff's motion to add additional party and case law cited therein	0.70	549.50
10/25/2021	AS	Research case law for purposes of preparing reply in support of motion for leave to amend complaint to add parties	1.90	1,491.50
	AS	Draft, revise, and edit reply brief in support of motion for leave to amend complaint to add parties	0.90	706.50
10/26/2021	AS	Continue to conduct legal research for purposes of preparing reply in support of motion to add parties and for purposes of evaluating overall litigation strategy	1.90	1,491.50
	AS	Revise and edit draft reply brief in support of motion for leave to add parties	0.20	157.00
10/27/2021	MAM	Draft and revise Reply on motion for leave to file consolidated amended complaint and communications w/AS and co-counsel re: same	1.10	1,072.50
	MAM	Review and analyze cases on defendants' right to file new MTD on consolidated amended complaint	0.40	390.00
10/28/2021	DR	Edits to reply brief in further support of plaintiffs' motion to add additional party	0.50	187.50
10/29/2021	JR	Review documents and update electronic case file with recent pleadings for October	6.00	1,950.00
11/02/2021	AS	Review and analyze motion and memo of support to amend complaint filed in Emmons action for purposes of assessing and evaluating litigation strategy in Smith action	0.50	392.50
	AS	Communications with Margaret Murray regarding the recently filed motion to amend pleading filed in the Emmons action	0.30	235.50
11/11/2021	AS	Communications with co-counsel concerning service of summons and complaint on Energy Harbor and governing rules concerning same	0.40	314.00
11/12/2021	DR	Edits to memorandum in support of plaintiffs' motion for approval of notice plan	1.60	600.00
	AS	Continue to draft and review papers relating to anticipated motion for issuance and approval of class notice	1.90	1,491.50
	AS	Conduct additional legal research for purposes of preparing motion for issuance and approval of class notice	0.90	706.50
	MAM	Draft and revise response to FE motion to reconsider class cert ruling and review motion and memo	0.70	682.50
11/13/2021	MAM	Draft and revise response to Defendants' motion to vacate class cert order and several communications w/DM re: same	0.90	877.50
11/14/2021	MAM	Draft and revise response to Defts' motion to reconsider class cert and review cases from S Ct and 6th Cir	0.80	780.00
11/15/2021	MAM	Telephone conference with DM, Vince S and Gibson re: settlement negotiation strategy and draft response to Rosen for upcoming mediation date	0.50	487.50
	MAM	Draft and revise response on motion by deft to reconsider class cert order and communications w/DM re: same and review certain cases	0.90	877.50
	AS	Review changes contained in revised local rules for the southern district of ohio		

Legal research, motions, memoranda

			Hours	
		(dated 10/22/21) and communicate with co-counsel concerning issuance of revised local rules	0.40	314.00
	AS	Conduct research for purposes of drafting memorandum in support of Class Notice plan	2.90	2,276.50
11/17/2021	AS	Conduct further research for purposes of preparing notice plan and memorandum of law in support of motion to approve same	2.40	1,884.00
11/19/2021	AS	Conduct research for purposes of preparing response in opposition to FirstEnergy Defendants' motion for judgment on the pleadings	4.90	3,846.50
11/22/2021	AS	Conduct research and analyze case law for purposes of responding to FirstEnergy's motion for judgment on the pleadings	6.30	4,945.50
	AS	Analyze Scheduling Order for purposes of determining response deadline to FirstEnergy's motion for judgment on the pleadings	0.30	235.50
11/23/2021	MAM	Review and analyze defendants' motion for judgment on the pleadings, review research for standard v. MTD ; formulate preliminary strategy for response	2.70	2,632.50
	MAM	Communicate with co-counsel re: response to motion for judgment on the pleadings; scheduling issues; investigate further filed- rate and possible exceptions	1.90	1,852.50
	AS	Continue to research and analyze case law for purposes of responding to FirstEnergy's motion or judgment on the pleadings	5.90	4,631.50
	AS	Review and analyze Defendant Pearson's motion to dismiss the Consolidated Amended Class Action Complaint	0.80	628.00
	AS	Participate in conference call with co-counsel concerning strategy with respect to responding to Defendant FirstEnergy's motion for judgment on the pleadings	0.50	392.50
11/24/2021	AS	Prepare for and participate in conference call concerning response in opposition to FirstEnergy's motion for judgment on the pleadings	0.90	706.50
	AS	Outline standard of law and factual background section of response in opposition to FirstEnergy's motion for judgment on the pleadings	1.10	863.50
	AS	Analyze case law and applicable Federal Rules to outline standard of law and factual background sections of response in opposition to FirstEnergy's motion for judgment on the pleadings	1.10	863.50
11/29/2021	AS	Review file to draft motion to set briefing schedule on pending Rule 12 motions	0.70	549.50
	AS	Continue to research case law for purposes of responding to recently filed Rule 12 motions	4.70	3,689.50
	AS	Draft motion to set briefing schedule on pending Rule 12 motions	1.50	1,177.50
11/30/2021	JR	Review documents and update electronic case file with recent pleadings for November	10.00	3,250.00
	AS	Continue to research case law for purposes of responding to recently filed Rule 12 motions	3.90	3,061.50
	AS	Revise and edit motion to set briefing schedule concerning recently filed Rule 12 motions	0.70	549.50
	AS	Begin drafting certain sections of response in opposition to recently filed Rule 12 motions	1.80	1,413.00
12/01/2021	MAM	Draft and revise motion for clarification on briefing MTD filed by FE and communications from Defense counsel re: same	0.70	682.50

Legal research, motions, memoranda

			Hours	
	MAM	Review and analyze communication from defendants re: modification of POs in our case and Emmons	0.20	195.00
	AS	Communicate with opposing counsel regarding motion to set briefing schedule concerning their position with respect to same	0.30	235.50
	AS	Revise and edit motion to set briefing schedule concerning pending Rule 12 motions	0.50	392.50
	AS	Multiple emails and calls with co-counsel regarding filing of motion to set briefing schedule	0.80	628.00
12/02/2021	MAM	Review and analyze and formulate opposition to FE 12c motion for judgment on the pleadings	1.10	1,072.50
	AS	Review and analyze Court's order denying EH's motion to vacate class certification order	0.30	235.50
	AS	Multiple emails and calls with co-counsel concerning Court's order denying EH's motion to vacate class certification order	0.80	628.00
	AS	Continue to research and analyze facts for purposes of responding to motion for judgment on the pleadings and Pearson's motion to dismiss	6.80	5,338.00
12/05/2021	MAM	Review and analyze Filed rate section for opposition to JOP and communications w/co-counsel re: same	0.40	390.00
12/06/2021	AS	Email correspondence with R. Kerger regarding preparation of factual background section of response in opposition to motion for judgment on the pleadings	0.20	157.00
12/07/2021	MAM	Draft and revise memo in opposition to JOP	0.90	877.50
	AS	Revise and edit factual background section of motion for judgment on the pleadings	0.70	549.50
	AS	Draft, revise, and edit multiple sections of Plaintiffs' response in opposition to FE's motion for judgment on the pleadings	3.70	2,904.50
	AS	Perform legal research to prepare sections of Plaintiffs' response in opposition to FE's motion for judgment on the pleadings	2.40	1,884.00
12/08/2021	AS	Continue to conduct legal research to prepare response in opposition to motion for judgment on the pleadings	0.70	549.50
	AS	Conduct legal research to prepare response in opposition to Defendant Pearson's motion to dismiss	2.90	2,276.50
	AS	Email correspondence with D. Murray regarding potential argument in filed-rate section of response in opposition to motion for judgment on the pleadings	0.30	235.50
12/09/2021	AS	Conduct legal research for purposes of preparing response to certain arguments made in Pearson's motion to dismiss the CACAC	4.30	3,375.50
	AS	Draft, revise, and edit multiple sections of the response in opposition to Defendant Pearson's motion to dismiss	2.60	2,041.00
	AS	Conduct final review of Plaintiffs' response in opposition to FE's motion for judgment on the pleadings	0.50	392.50
12/10/2021	AS	Revise and edit draft response in opposition to Pearson's motion to dismiss	2.50	1,962.50
12/11/2021	MAM	Draft and revise response to Pearson MTD	0.80	780.00
	AS	Review MAM edits to response in opposition to Pearson's motion to dismiss the CACAC	0.30	235.50

Legal research, motions, memoranda

Hours

12/12/2021	MAM	Draft and revise Opp to Pearson MTD	0.70	682.50
	AS	Revise and edit response in opposition to Pearson's motion to dismiss	0.50	392.50
	AS	Email correspondence with co-counsel regarding edits to opposition to Pearson's motion to dismiss	0.30	235.50
12/13/2021	AS	Conduct final review of response in opposition to Defendant Pearsons' motion to dismiss	0.60	471.00
	AS	Multiple emails with co-counsel regarding filing of and final revisions to response in opposition to Defendant Pearsons' motion to dismiss	0.50	392.50
12/14/2021	AS	Review and analyze FE's response in opposition to class certification, including expert report included with same	1.30	1,020.50
	AS	Conduct research for purposes of responding to FE's opposition to class certification	3.90	3,061.50
	AS	Draft outline of reply in support of class certification	0.90	706.50
	MAM	Review and analyze defendants' expert report and submission, communications w/DM re: possible settlement negotiating strategy	1.60	1,560.00
12/15/2021	MAM	Telephone conference with AS re: depts' response to class cert motion; communications w/co-counsel re:same and formulate possible strategy for reply	1.30	1,267.50
	AS	Conduct research to prepare certain sections of reply in support of class certification	3.80	2,983.00
	AS	Draft superiority section of reply in support of class certification	1.10	863.50
12/16/2021	AS	Continue to revise and edit draft reply in support of class certification	3.70	2,904.50
12/18/2021	MAM	Draft and revise Sweeney section for brief in opposition to JOP	0.60	585.00
	AS	Review draft of insert responding to arguments made by purported expert Sweeney for purposes of preparing reply in support of class certification	0.40	314.00
12/19/2021	MAM	Draft and revise class reply and edits to class rep sections	0.40	390.00
12/21/2021	AS	Continue to revise and edit reply in support of class certification	2.10	1,648.50
12/28/2021	AS	Correspondence with co-counsel regarding joint motion for 45 day stay	0.30	235.50
12/31/2021	JR	Review documents and update electronic case file with recent pleadings for December	12.00	3,900.00
01/19/2022	MAM	Review and analyze EH motion, memo and communications with co-counsel	1.10	1,072.50
01/20/2022	AS	Conduct review and analysis of certain case law cited in Energy Harbor's memorandum of law in support of it's motion to dismiss for purposes of preparing response and evaluating arguments in response in opposition	2.90	2,276.50
01/23/2022	AS	Analyze Energy Harbor's memorandum of law in support of its motion to dismiss in order to prepare for and participate in conference call (with co-counsel) concerning responding to same	1.10	863.50
	AS	Participate in conference call with co-counsel	0.40	314.00

Legal research, motions, memoranda

Hours

01/24/2022	MAM	Review and analyze articles sent by MM and outline for strategy on EH motion to dismiss and strategy for response	0.70	682.50
01/25/2022	MAM	Telephone conference with AS, DM, MM, RK & KR re: strategy for response to EH motion to dismiss	0.60	585.00
01/26/2022	AS	Conduct research to prepare response in opposition to Energy Harbor's motion to dismiss	2.90	2,276.50
01/30/2022	AS	Communicate with K. Roddy and M. Murray regarding preparation of reply in support of class certification and preparation of response in opposition to EH's motion to dismiss	0.30	235.50
01/31/2022	JR	Review documents and update electronic case file with recent pleadings for January	6.00	1,950.00
02/02/2022	AS	Revise and edit insert to reply in support of class certification concerning Rule 23(b)(1)(A) and 23(b)(2) certification	1.50	1,177.50
	AS	Research case law for purposes of revising draft insert to reply in support of class certification concerning Rule 23(B)(1)(A) and 23(B)(2)	2.10	1,648.50
02/03/2022	AS	Research case law for purposes of drafting insert re: superiority requirement of Rule 23 for reply brief in support of class certification	3.60	2,826.00
	AS	Draft, revise, and edit insert concerning satisfaction of superiority requirement of Rule 23 for reply brief in support of class certification	1.10	863.50
	AS	Communicate with K. Roddy regarding Defendant's expert report and arguments concerning same for purposes of preparing reply brief in support of class certification	0.70	549.50
02/04/2022	AS	Conduct further edits and revisions to draft reply brief in support of class certification	1.90	1,491.50
	AS	Multiple emails with various co-counsel concerning preparation of reply brief in support of class certification	0.70	549.50
	AS	Continue to conduct legal research for purposes of responding to various sections of response in opposition to Energy Harbor's motion to dismiss	3.10	2,433.50
02/07/2022	MAM	Communicate with co-counsel re: formal term sheet for possible settlement negotiations	0.40	390.00
	AS	Analyze case law cited in draft reply in support of class certification, as well as case law cited in Defendants' opposition brief, for purposes of preparing reply brief in support of class certification	2.30	1,805.50
	AS	Continue to draft and review reply brief in support of class certification	0.60	471.00
02/08/2022	AS	Continue to revise and edit Reply in support of class certification	1.10	863.50
02/09/2022	MAM	Review and analyze class cert reply	1.10	1,072.50
	MAM	Review and analyze revised termsheet for FE potential settlement and communication w/JW and DM re: same	0.20	195.00
	AS	Continue to revise and edit Reply in support of class certification	0.90	706.50
	AS	Research and analyze case law for purposes of revising reply in support of class certification	0.90	706.50

Legal research, motions, memoranda

Hours

02/10/2022	MAM	Communicate with co-counsel re: reply on class cert motion, timing and stay of proceedings and review draft	0.40	390.00
02/13/2022	AS	Email correspondence with K. Roddy re: status of filing of reply in support of class certification	0.20	157.00
02/18/2022	MAM	Review and analyze cases and response to EH motion to dismiss	1.70	1,657.50
02/21/2022	MAM	Review and analyze response to EH MTD	1.10	1,072.50
	AS	Continue to research case law for purposes of preparing response in opposition to EH motion to dismiss	2.70	2,119.50
	AS	Draft, revise, and edit insert concerning the inapplicability of the economic loss rule as a bar to plaintiff's negligence claims for purposes of preparing response in opposition to EH motion to dismiss	1.40	1,099.00
	AS	Draft insert of plaintiffs' response in opposition to EH's motion to dismiss	0.60	471.00
	AS	Multiple emails with co-lead counsel in relation to preparation of response in opposition to EH's motion to dismiss	0.40	314.00
02/22/2022	DR	Proofed and formatted case law in excerpt of document	0.40	150.00
	MAM	Draft and revise response to EH MTD and class cert reply	1.20	1,170.00
	AS	Revise and edit response in opposition to EH's motion to dismiss	1.60	1,256.00
02/25/2022	MAM	Review and analyze final version of response to EH MTD	0.70	682.50
02/28/2022	JR	Review documents and update electronic case file with recent pleadings for January	8.00	2,600.00
03/09/2022	AS	Revise and edit supplemental initial disclosures	1.50	1,177.50
	AS	Draft email to D. Murray regarding supplemental initial disclosures' statement about damages	0.20	157.00
03/10/2022	AS	Communicate with K. Roddy concerning status of draft reply in support of class certification	0.40	314.00
03/17/2022	DR	Email to C. Linehan re joint motion for entry of stipulation	0.10	37.50
03/18/2022	MAM	Draft and revise final reply on class cert	0.60	585.00
03/23/2022	AS	Review and analyze Defendant Energy Harbor's reply in support of their motion to dismiss and communicate with co-counsel concerning same	1.00	785.00
03/24/2022	AS	Communicate with MEM regarding preparation of memorandum in support of preliminary approval	0.20	157.00
	AS	Email correspondence with co-counsel concerning whether any sort of a sur-reply is justified with respect to any arguments made in Energy Harbor's reply brief	0.10	78.50
03/25/2022	AS	Research case law for purposes of preparing memo in support of preliminary approval of contemplated settlement agreement, especially with regard to notice requirements and satisfaction of Rule 23 requirements	3.90	3,061.50
	AS	Draft, revise, and edit memorandum in support of preliminary approval	5.20	4,082.00

Legal research, motions, memoranda

Hours

03/31/2022	JR	Review documents and update electronic case file with recent pleadings for March	6.00	1,950.00
04/30/2022	JR	Review documents and update electronic case file with recent pleadings for April	7.00	2,275.00
05/01/2022	AS	Email correspondence with co-counsel regarding FE's revisions to proposed edits to proposed preliminary approval order	0.40	314.00
05/02/2022	AS	Continue to revise and finalize preliminary approval papers for today's filing, including the preliminary approval motion, memo in support, supporting declarations, notice plan, and forms of notice	5.80	4,553.00
	AS	Communicate with co-counsel regarding filing of preliminary approval papers concerning FirstEnergy Settlement	1.10	863.50
05/05/2022	AS	Draft memorandum of law in support of contemplated motion for preliminary approval of Energy Harbor settlement	2.20	1,727.00
	AS	Communicate with MAM, D. Murray, and Jay Ward regarding draft memorandum of law in support of contemplated motion for preliminary approval of Energy Harbor settlement	0.40	314.00
	AS	Begin drafting supplemental memorandum of law in support of Amended motion for preliminary approval	1.50	1,177.50
05/06/2022	AS	Continue to draft supplemental and amended papers in relation to seeking preliminary approval of two settlements the FE settlement and the EH settlement	3.20	2,512.00
05/09/2022	AS	Continue to revise and edit supplemental and amended papers seeking preliminary approval of FE Settlement and EH settlement	1.80	1,413.00
05/12/2022	AS	Communicate with co-counsel regarding correction to filing of certain exhibit to preliminary approval papers	0.30	235.50
05/31/2022	JR	Review documents and update electronic case file with recent pleadings for May	6.00	1,950.00
06/07/2022	AS	Legal research to prepare amended motion for preliminary approval papers	0.70	549.50
	AS	Correspondence with co-counsel and opposing counsel regarding amended motion for preliminary approval papers	0.60	471.00
	AS	Continue to draft, revise, and edit: 1) amended memorandum in support of preliminary approval of FE and EH settlements; 2) amended proposed order granting amended motion for preliminary approval; 3) amended forms of notice; and 4) amended joint declaration in support of amended motion for preliminary approval of settlements	3.90	3,061.50
06/08/2022	AS	Correspondence with co-counsel regarding amended motion for preliminary approval papers	0.50	392.50
	AS	Correspondence with opposing counsel regarding amended motion for preliminary approval papers	0.40	314.00
06/09/2022	AS	Communicate with counsel for EH in connection with finalizing certain amended preliminary approval papers	0.30	235.50

Legal research, motions, memoranda

			Hours	
	AS	Continue to prepare amended motion for preliminary approval papers	1.90	1,491.50
06/10/2022	DR	Reviewed and proofed amended memorandum in support of unopposed motion for preliminary approval of class action settlement; discussed filing with A. Szot	0.80	300.00
	DR	Gathered and ocr'd exhibits to motion and declaration; added cover pages to same	0.90	337.50
	DR	Prepared envelope and FedEx package enclosing copy of unopposed motion for preliminary approval of class action settlement to Clerk of Court	0.20	75.00
	AS	Multiple correspondence with D. Murray re: filing and exhibits relating to amended motion for preliminary approval papers	0.60	471.00
	AS	Multiple correspondence with DNR regarding filing of amended motion for preliminary approval papers	0.90	706.50
	AS	Continue to revise and edit amended motion for preliminary approval papers	1.90	1,491.50
06/13/2022	AS	Draft memorandum of law in support of motion for attorneys' fees and named plaintiffs' incentive awards	3.10	2,433.50
	AS	Conduct legal research to prepare memorandum of law in support of motion for final approval of FE and EH settlements	3.90	3,061.50
	AS	Email correspondence with MAM re: preparation of motion for final approval and motion for attorneys' fees and incentive award	0.50	392.50
	AS	Conduct legal research to prepare motion for attorneys' fees and incentive awards in connection with preparing final approval papers in relation to settlements	1.90	1,491.50
06/14/2022	DR	Proofed amended proposed order preliminarily approving Plaintiffs' settlements with Defendants; call with A. Szot re same	0.50	187.50
	DR	Drafted notice of filing to amended proposed order and declaration to motion preliminarily approving Plaintiffs' settlements with Defendants	0.30	112.50
	DR	Additional changes to notice of filing; final review of same	0.30	112.50
	AS	Continue to draft, revise, and edit motion for attorneys' fees award and class representative incentive awards	4.90	3,846.50
	AS	Continue to conduct legal research to prepare motion for attorneys' fees and incentive awards in connection with preparing final approval papers in relation to settlements	3.70	2,904.50
	AS	Email correspondence with DNR and D. Murray re: filing of notice of filing of corrected papers concerning preliminary approval	0.50	392.50
	AS	Revise and edit corrected proposed order granting preliminary approval and corrected declaration	0.40	314.00
	MAM	Review and analyze amendments to exhibits in support of motion for preliminary approval	0.40	390.00
06/27/2022	AS	Legal research to prepare memorandum in support of final approval of class action settlements	3.10	2,433.50
	AS	Correspondence with co-counsel regarding filing deadlines set forth in preliminary approval order	0.70	549.50
	AS	Draft memorandum of law in support of final approval of class action settlements	3.60	2,826.00
06/28/2022	AS	Continue to research case law for purposes of preparing attorneys' fees memo	2.30	1,805.50
06/30/2022	JR	Review documents and update electronic case file with recent pleadings for June	8.00	2,600.00

Account No: 1337-002C
Statement No: 1514

Legal research, motions, memoranda

Hours

07/07/2022	AS	Draft, revise and edit first draft of declarations in support of motion for attorney fees	7.50	5,887.50
07/29/2022	MAM	Communicate with co-counsel re: final approval motion papers and analysis for OVEC possible issue	0.40	390.00
08/01/2022	MAM	Telephone conference with DM and AS re: declarations and memo in support of approval	0.50	487.50
	MAM	Draft and revise declarations for approval and review data in connection with OVEC and formulate position in connection with injunctive relief, limiting release and therefore preserving right to future relief	0.80	780.00
		For Current Services Rendered	591.30	405,837.50

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Marvin A. Miller	92.10	\$975.00	\$89,797.50
Lori A. Fanning	0.20	785.00	157.00
Jorge Ramirez	144.50	325.00	46,962.50
Andrew Szot	330.30	785.00	259,285.50
Kathleen E. Boychuck	1.60	725.00	1,160.00
Dena Robinson	22.60	375.00	8,475.00

Total for this Statement 405,837.50

Balance Due \$405,837.50

Discovery, depositions, etc.

Draft Statement

Hours

10/25/2020	MAM	Draft and revise discovery plan	1.10	1,072.50
10/27/2020	MAM	Draft and revise further the detailed discovery plan and communications w/co-counsel re: same	0.30	292.50
10/30/2020	AS	Review and provide comments on proposed discovery plan	0.60	471.00
	AS	Prepare for and participate in call with opposing counsel regarding discovery and case management	0.70	549.50
11/06/2020	MAM	Review and analyze Interrogs and doc requests	0.60	585.00
11/09/2020	DR	Edits to discovery plan	0.20	75.00
11/11/2020	AS	Communicate with co-counsel regarding discovery plan and strategy with respect to same	0.40	314.00
11/16/2020	MAM	Review and analyze additional provisions to discovery protocols	0.20	195.00
	AS	Email correspondence with co-counsel and opposing counsel regarding discovery	0.60	471.00
12/23/2020	AS	Edit discovery letter to Magistrate	0.40	314.00
02/13/2021	MAM	Draft and revise interrogs and doc requests	0.60	585.00
02/18/2021	MAM	Communicate with co-counsel and defendants' counsel re: Discovery Plan	0.20	195.00
02/23/2021	AS	Conduct research concerning seeking discovery of FBI 302s from Defendants who have already pled guilty	3.40	2,669.00
03/08/2021	DR	Searched Aluminum Sulfate case docket for requested written discovery to government entities	0.30	112.50
03/09/2021	DR	Searched Aluminum Sulfate docket for discovery propounded upon criminal defendants; emailed same to A. Szot	0.60	225.00
	AS	Draft, revise and edit Touhy Requests for FBI 302s	2.30	1,805.50
03/10/2021	MAM	Telephone conference with AS, KR, RK, DM, MM, and EM re: interrogs, doc requests and RFA strategy, draft and revise	0.50	487.50
03/11/2021	AS	Revise and edit draft ESI Protocol	0.80	628.00
	AS	Conference call with co-ESI liaison Margaret Murray regarding ESI Protocol and discovery strategy with respect to same	0.60	471.00
	AS	Conduct review of ESI rules in relevant jurisdiction for purposes of preparing ESI Protocol and strategy with respect to same	1.30	1,020.50
03/15/2021	AS	Email correspondence with opposing counsel and co-counsel regarding opposing counsel's discovery letter concerning plaintiff's "contingent" Rule		

Discovery, depositions, etc.

			Hours	
		30(b)(6) notice of deposition	0.70	549.50
	MAM	Communicate with		
	MAM	Communicate with co-counsel re: proposed response to Defendants' counsel re: conditional 30(b)(6) dep	0.30	292.50
03/16/2021	AS	Email correspondence and call with Margaret Murray regarding draft ESI Protocol and strategy with respect to same	0.70	549.50
03/18/2021	AS	Conduct review of multiple form ESI Protocols for purposes of evaluating proposed draft ESI Protocol based on NDOH ESI protocol template	3.30	2,590.50
03/22/2021	MAM	Communicate with co-counsel re: coordination with securities plaintiffs and strategy re: same; ESI protocol sent to defendants	0.30	292.50
03/25/2021	AS	Conduct legal and factual research to negotiate terms of Court ordered "robust" ESI Protocol	2.30	1,805.50
	AS	Review Defendants' proposed ESI protocol to negotiate terms of Court ordered "robust" ESI Protocol	1.20	942.00
	AS	Conference calls with counsel, Margaret Murray, my co-discovery liaison counsel concerning strategy with respect to terms of Court ordered "robust" ESI Protocol	0.80	628.00
03/26/2021	MAM	Draft and revise ESI protocol and communications w/co-counsel re: same	0.40	390.00
	AS	Conference call to discuss damages in light of recent developments, as well as to discuss strategy relating to ESI protocol and initial disclosures	0.60	471.00
03/27/2021	AS	Make edits to proposed ESI protocol and incorporate MAM's edits into same	0.60	471.00
03/29/2021	MAM	Draft and revise disclosures and communication w/co-counsel re: same	0.40	390.00
	AS	Revise and edit proposed ESI protocol	0.60	471.00
	AS	Draft email correspondence to opposing counsel regarding proposed ESI protocol	0.10	78.50
	AS	Correspondence with D. Murray regarding third-party discovery	0.10	78.50
	AS	Email correspondence with M. Murray and opposing counsel regarding meet and confer concerning proposed ESI protocol	0.20	157.00
03/30/2021	MAM	Review and analyze disclosures and communications in connection with failure to provide full responses until protective order; see comments and cases from KR re: same	1.10	1,072.50
	AS	Negotiate terms of proposed ESI Protocol with opposing counsel through series of emails and phone calls	1.30	1,020.50
	AS	Revise proposed ESI protocol based upon negotiations with opposing counsel	1.10	863.50
	AS	Communicate with co-counsel M. Murray concerning proposed ESI protocol and negotiations with opposing counsel concerning same	0.60	471.00
	AS	Conduct factual research to prepare third-party discovery plan	3.10	2,433.50
03/31/2021	MAM	Review and analyze Answers, insurance issues and policies communications	1.60	1,560.00
	AS	Continue to conduct factual investigation for purposes of preparing third-party discovery	1.90	1,491.50
	AS	Draft third-party discovery	1.10	863.50
	MAM	Review and analyze Answers, insurance issues and policies communications	1.60	1,560.00

Discovery, depositions, etc.

			Hours	
04/02/2021	MAM	Draft and revise interrogs, RFA and docs	0.80	780.00
04/05/2021	MAM	Review and analyze MM edits and communication re: strategy on division of requests, interrogs and RFAs and communications w/MM and DM re: same	0.30	292.50
	MAM	Review and analyze MM edits and communication re: strategy on division of requests, interrogs and RFAs and communications w/MM and DM re: same	0.30	292.50
04/07/2021	MAM	Telephone conference with co counsel and consultant re: status of investigations and strategy for broad discovery; communication w/MM re: separate interrogs for each defendant and targeted inquiries and doc requests	1.10	1,072.50
04/09/2021	MAM	Review and analyze discovery issues; incentive programs; merits discovery and revise same	1.60	1,560.00
	MAM	Review and analyze memo from KPR re: discovery disputes and plan for M&C	0.40	390.00
04/12/2021	DR	Drafted Plaintiffs' list of custodians; discussed same with A. Szot	0.60	225.00
	DR	Highlights to Plaintiffs' initial disclosures per A. Szot's instructions	0.30	112.50
	MAM	Review and analyze communications from defendants' counsel re: protective order; review responses and objections to discovery	0.70	682.50
	AS	Prepare for and participate in discovery meet and confer with defendants concerning defendants' proposed protective order, which substantially deviates from forum's accepted form protective order template	1.30	1,020.50
	AS	Email correspondence and call with co-counsel, K. Roddy and M. Murray, regarding Defendant's proposed protective order and meet and confer re: same	0.30	235.50
	AS	Review file to prepare list of custodians for purposes of complying with ESI Protocol order	3.10	2,433.50
04/13/2021	DR	Additional edits to Plaintiffs' custodian list	0.50	187.50
	MAM	Review and analyze defendants' edits to protective order	0.60	585.00
	AS	Correspondence with co-counsel regarding protective order negotiation strategy and applicable law	0.50	392.50
04/14/2021	AS	Draft, revise, and edit list of custodians based upon initial disclosures	0.70	549.50
	AS	Draft email to co-counsel regarding list of custodians	0.40	314.00
04/15/2021	AS	Revise and edit list of custodians	0.50	392.50
04/16/2021	DR	Searched SharePoint for letter to third parties asking for preservation of documents in Aluminum Sulfate matter; emailed same to A. Szot	0.10	37.50
	DR	Call with A. Szot re updates to custodian list	0.10	37.50
	DR	Searched internet and Westlaw for contact information for all third-party individuals listed on Plaintiffs' custodian list	1.30	487.50
	KEB	Review and analyze email from AS re: preservation letter	0.10	72.50
04/19/2021	DR	Research to locate contact information for listed 3rd party custodians	2.60	975.00
04/20/2021	MAM	Draft and revise 3rd party document preservation letter and communication with co-counsel re: same	0.40	390.00
	DR	Edits to preservation letter	0.30	112.50
04/21/2021	AS	Draft email to Dennis Murray regarding third-party discovery strategy	0.40	314.00

Discovery, depositions, etc.

			Hours	
04/24/2021	AS	Review draft class discovery letter	0.40	314.00
04/26/2021	MAM	Review and analyze correspondence from defendant and MM and communication from KPR	0.70	682.50
04/27/2021	MAM	Review and analyze letters to individuals re: failure to respond properly to written discovery	0.10	97.50
04/28/2021	MAM	Draft and revise written discovery including DM edits	0.40	390.00
04/29/2021	MAM	Review and analyze OCC motion to compel and communication from MM re: same	0.40	390.00
	MAM	Draft and revise opposition to response to partial lift of discovery stay	0.70	682.50
04/30/2021	MAM	Review and analyze letters from several defendants in connection with responses to discovery answers	0.80	780.00
05/03/2021	MAM	Review and analyze letter from Jones re: nonresponding discovery	0.10	97.50
	AS	Draft email to Dennis Murray regarding Defendants' failure to identify custodians per the ESI Protocol	0.30	235.50
05/04/2021	MAM	Communicate with DM, Cheryl Roberto and review tariffs in prep for teleconf to determine damages	0.70	682.50
	MAM	Communicate with DM and Tiffany re: sch	0.20	195.00
05/05/2021	MAM	Telephone conference with DM, MM, EM, Tiffany and another defendant's counsel re: responses to interogs, doc production and RFAs	1.10	1,072.50
05/10/2021	AS	Participate in meet and confer regarding Defendants' initial data production	0.40	314.00
05/11/2021	MAM	Telephone conference with AS, RK, KR, EM, and MM re: doc production for class and draft communication to deft re: same	0.50	487.50
	AS	Prepare for and participate in conference call regarding Defendants' anticipated data production and strategy with respect to same	0.50	392.50
05/12/2021	MAM	Communicate with co-counsel re: doc and data production from defendants and strategy	0.40	390.00
05/13/2021	MAM	Communicate with co-counsel re: response to defendants' proposal to produce data and docs for class cert motion	0.20	195.00
05/17/2021	AS	Multiple emails with co-counsel re: First Energy's recent data production	0.50	392.50
	MAM	Communications with co-counsel re: document production in connection with class certification discovery	1.40	1,365.00
06/04/2021	MAM	Communicate with Tiffany and DM re: insurance policies	0.20	195.00
06/14/2021	AS	Conduct preliminary review of First Energy's recent document production	1.10	863.50
06/22/2021	MAM	Review and analyze search terms from defendants and additional terms from MM, RK and EM	0.40	390.00

Discovery, depositions, etc.

Hours

06/23/2021	AS	Review discovery responses and file to help prepare response to Defendants' proposal regarding search terms and custodians	1.50	1,177.50
	AS	Emails and call with Margaret Murray re: search terms and custodians	0.80	628.00
06/24/2021	AS	Revise and edit meet and confer letter regarding search terms and custodians	0.40	314.00
	MAM	Review and analyze communication re: search terms	0.40	390.00
06/28/2021	MAM	Review and analyze search terms	0.20	195.00
07/28/2021	AS	Continue to conduct legal research concerning Defendants' purported legislative ratification defense	4.60	3,611.00
	AS	Continue to conduct factual investigation concerning the passage of HB6 and HB128 for purposes of assessing validity of Defendants' professed legislative ratification defense	2.50	1,962.50
07/29/2021	MAM	Draft and revise RFAs	1.10	1,072.50
08/02/2021	AS	Email correspondence regarding the schedule of a meet and confer with First Energy regarding meet and confer concerning search terms and custodians	0.20	157.00
08/04/2021	AS	Email correspondence regarding upcoming meet and confer with FE regarding search terms and custodians	0.30	235.50
08/05/2021	MAM	Review and analyze additional search terms and recent articles in connection with AG adding Randazzo etc	0.40	390.00
	AS	Review file and related papers, including the Deferred Prosecution Agreement b/w US and First Energy, in order to identify additional search terms based upon same	2.50	1,962.50
	AS	Draft correspondence to co-counsel regarding additional, potential search terms and strategy with respect to same	0.50	392.50
	AS	Conduct factual investigation of recent new articles for purposes of determining whether additional search terms need to be identified in light of recent developments	1.70	1,334.50
08/06/2021	MAM	Communicate with co-counsel and defense counsel re: class rep dep dates	0.20	195.00
	AS	Call with Margaret Murray to prepare for meet and confer with First Energy concerning custodians and search terms	0.40	314.00
	AS	Review file to prepare for meet and confer with First Energy concerning custodians and search terms	1.10	863.50
	AS	Participate in meet and confer with First Energy regarding custodians and search terms	1.10	863.50
08/09/2021	MAM	Communicate with co-counsel re: review of FE discovery served on class reps; status of RFAs	0.40	390.00
08/16/2021	AS	Draft and revise additional search terms for purposes of discovery	1.10	863.50
	AS	Identify third-parties for purposes of preparing to issue merits discovery on or before September 1	2.40	1,884.00
08/19/2021	AS	Conduct review of file to be in the position to serve additional discovery and third-party discovery on or after September 1, 2021	2.90	2,276.50

Discovery, depositions, etc.

			Hours	
08/24/2021	AS	Email correspondence with Margaret Murray regarding open discovery issues and strategy with respect to same	0.40	314.00
	AS	Review file to assess status and strategy with respect to outstanding offensive discovery	0.30	235.50
08/25/2021	MAM	Communicate with DM re: Smith discussion with legislator and review DM communication re: Finnegan discussion	0.40	390.00
	AS	Draft, revise, and edit discovery letter to FirstEnergy regarding open items	0.70	549.50
	AS	Review file to prepare discovery letter to FirstEnergy	0.30	235.50
08/26/2021	AS	Email to Defendants regarding outstanding discovery issues	0.20	157.00
	AS	Conduct research for purposes of propounding discovery on the United States	2.60	2,041.00
08/28/2021	MAM	Review and analyze KR email memo on relationships between class rep and counsel and review cases	0.20	195.00
08/30/2021	DR	Searched discovery files in Aluminum Sulfate matter for a production subpoena rider; converted subpoena rider to Word document; edits to same	0.30	112.50
08/31/2021	AS	Review and analyze Defendant FirstEnergy's letter regarding search terms, custodians, and other offensive discovery issues in order to prepare for upcoming meet and confer with counsel for FirstEnergy	0.50	392.50
	AS	Prepare for and participate in conference call with co-counsel Margaret Murray regarding upcoming meet and confer with FirstEnergy regarding discovery	0.50	392.50
	AS	Prepare for and participate in meet and confer with Defendant First Energy concerning document production, search terms, and custodians	1.10	863.50
09/01/2021	DR	Edits to draft letter to Department of Justice and United States Attorney's office, S.D. Ohio re Touhy request; drafted production subpoenas to same	1.10	412.50
	MAM	Review and analyze letter re: Touhy production and custodian communication	0.20	195.00
09/02/2021	DR	Created table listing proposed search terms	0.80	300.00
	AS	Draft correspondence to FE counsel regarding search terms and hit analysis -- discovery	0.90	706.50
09/03/2021	AS	Communications with opposing counsel regarding document discovery	0.30	235.50
09/07/2021	DR	Call to Veritext with questions re production subpoenas	0.10	37.50
	DR	Edits to production subpoenas	0.10	37.50
	AS	Discussions with DNR regarding service of Touhy Request	0.40	314.00
	AS	Revise and edit Subpoena Rider for FBI 302s - Third Party Discovery	1.30	1,020.50
	AS	Review and create list of potential third parties for purposes conducting third-party discovery	1.90	1,491.50
09/08/2021	DR	Final edits to production subpoenas; forwarded same to Veritext for service	0.30	112.50
	AS	Draft multiple Subpoena riders to be served on multiple third-parties -- discovery	4.70	3,689.50
09/09/2021	AS	Prepare for upcoming continuation of meet and confer with FE counsel regarding search terms and custodians	0.70	549.50
	AS	Communicate with co-counsel Margaret Murray and opposing counsel regarding meet and confer	0.30	235.50

Discovery, depositions, etc.

Hours

09/10/2021	AS	Prepare for and participate in meet and confer with FE counsel regarding outstanding fact discovery issues	1.20	942.00
09/13/2021	AS	Assess status of service of third-party subpoena seeking FBI 302 interview notes	0.20	157.00
09/17/2021	AS	Finalize third party discovery of Generation Now, Fifth Third Bank, and various PACs relating to passage of HB6 - FACT discovery	1.90	1,491.50
	AS	Email correspondence with opposing counsel regarding outstanding discovery	0.30	235.50
09/20/2021	MAM	Review and analyze Defendants responses to RFAs	0.70	682.50
	AS	Email communications with Dennis Murray regarding third-party discovery	0.30	235.50
09/22/2021	DR	Completed production subpoenas; edits to subpoena riders	1.70	637.50
	DR	Searched Ohio Secretary of State's business search portal for registered agent contact information for each entity to receive a production subpoena	0.90	337.50
09/23/2021	DR	Email correspondence with M. Murray re problems with access to FirstEnergy production	0.10	37.50
	DR	Review and edits to production subpoenas and riders to same	0.30	112.50
	AS	Conduct preliminary review of initial production to evaluate confidentiality and attorneys' eyes only designations	3.90	3,061.50
	AS	Email correspondence with Margaret Murray regarding Defendants' document production and staffing needs	0.30	235.50
09/24/2021	AS	Conduct review of initial document production to prepare document review coding memorandum and to determine and assess document review staffing needs	5.70	4,474.50
09/27/2021	AS	Continue to conduct preliminary review of second batch of produced documents (roughly 50,000 pages of documents)	4.60	3,611.00
09/28/2021	DR	Downloaded FirstEnergy's 9-24-21 production	0.10	37.50
	DR	Searched Ohio secretary of state website for registered agent information for Friends of Larry Householder	0.20	75.00
10/01/2021	AS	Multiple calls and emails with SC counsel regarding potential use of document review platform	0.50	392.50
10/04/2021	DR	Edits to third-party production subpoenas	0.20	75.00
	AS	Continue to edit and revise third-party discovery	0.50	392.50
10/05/2021	DR	Additional edits to third party subpoenas	1.70	637.50
10/06/2021	DR	Drafted notice of third-party subpoenas and cover letter for each subpoena	1.80	675.00
	KEB	Review, analyze, and respond to emails from AS re: discovery/document production; Review and analyze email from LAF re: same	0.20	145.00
	AS	Prepare for and participate in conference call with SC attorneys concerning potential use of in-house document review software	1.60	1,256.00
	AS	Draft notice and multiple cover letters pertaining to issued subpoenas and communicate with DNR re: same	1.10	863.50

Discovery, depositions, etc.

			Hours	
	LAF	Email exchanges with Andy Szot, Kate Boychuck, and Marvin Miller re: discovery status and discovery platform	0.30	235.50
10/07/2021	DR	Final edits to subpoena notice, production subpoenas and supporting documents	4.30	1,612.50
	DR	Gathered all production subpoenas to email to Veritext for service	0.20	75.00
	DR	Filed notice of subpoenas and exhibits to same using ECF (problems with password)	0.30	112.50
	AS	Revise and edit subpoena rider pertaining to 5/3 bank	0.30	235.50
10/08/2021	MAM	Communicate with Scott Lambert @ JND and co-counsel re: database and doc production	0.20	195.00
	DR	Email correspondence with Veritext re service of Friends of Larry Householder production subpoena	0.10	37.50
	DR	Attempted to contact Perry County, Ohio Sheriff's Office re service of Friends of Larry Householder production subpoena	0.10	37.50
	MAM	Communicate with Scott Lambert @ JND and co-counsel re: database and doc production	0.20	195.00
	AS	Email correspondence regarding recent FirstEnergy document production	0.40	314.00
10/11/2021	MAM	Communicate with AS and DM re: database and review communication from JND re: comparison to Logikskill	0.20	195.00
	DR	Call and email to Perry County Sherriff's office re service of Friends of Larry Householder subpoena	0.10	37.50
	DR	Downloaded 10-8-21 FirstEnergy production	0.20	75.00
	KEB	Review, analyze, and respond to email from AS re: potential document review platforms	0.10	72.50
	AS	Email correspondence with DNR regarding status of service of third-party subpoenas	0.40	314.00
	AS	Conduct factual investigation to identify alternative addresses for certain respondents in relation to the third-party subpoenas issued concerning them	0.80	628.00
	AS	Email correspondence with co-counsel concerning document review platform options	0.40	314.00
	AS	Research and evaluate document review platform options for purposes of determining the right document review software to use in this case	1.10	863.50
10/12/2021	MAM	Communicate with AS and DM re: JND database for doc production and review	0.10	97.50
	DR	Email correspondence with Perry County Sheriff's Office re service of Friends of Larry Householder production subpoena	0.10	37.50
10/13/2021	AS	Calls with respondent Grant concerning subpoena and production of documents	0.80	628.00
10/14/2021	DR	Searched internet for current address for Generation Now; email with A. Szot re same	0.20	75.00
	DR	Searched Live Edgar for EIN for Fifth Third Bancorp; email to A. Szot re same	0.20	75.00
	DR	Searched Westlaw for requested bankruptcy documents; downloaded documents to public drive; emailed same to A. Szot	2.00	750.00
	AS	Email and phone correspondence with certain third-parties concerning subpoena compliance	0.50	392.50

Account No: 1337-003C
Statement No: 1515

Discovery, depositions, etc.

Hours

10/15/2021	DR	Email to Ernst & Young re access to FirstEnergy productions; attempted to access production	0.10	37.50
	AS	Correspondence with DNR regarding FirstEnergy production	0.40	314.00
	AS	Conference call with attorney for 17 Street Consulting regarding subpoena compliance	0.70	549.50
	AS	Conduct preliminary research concerning a defunct company's obligation to production documents in response to a third-party subpoena	2.10	1,648.50
10/18/2021	DR	Created subpoena tracking chart	0.80	300.00
	DR	Downloaded 10-15-21 FirstEnergy production	0.10	37.50
	AS	Revise and edit third-party discovery tracking and status memo to file	0.30	235.50
	AS	Email correspondence with Dena Robinson regarding status on Defendants' document production and management of receipt of same	0.50	392.50
10/19/2021	AS	Email correspondence with co-counsel regarding document platform software selection and analysis	0.30	235.50
	AS	Communicate with FirstEnergy counsel regarding third-party discovery and status of FE document production	0.50	392.50
	AS	Address outstanding issues pertaining to the service and enforcement of outstanding third-party discovery	1.20	942.00
10/21/2021	DR	Attempted to download FirstEnergy 10-21-21 production	0.10	37.50
	AS	Communicate with multiple third-party respondents concerning status and nature of their subpoena compliance	1.20	942.00
10/22/2021	DR	Gathered requested documents from Westlaw -USA v. Householder 1:20-cr-00077; emailed same to A. Szot	0.20	75.00
	DR	Email to M. Koslen re access to FirstEnergy's 10-21-21 production documents - corrupt files	0.10	37.50
	DR	Downloaded and extracted FirstEnergy's 10-21-21 production	0.10	37.50
	DR	Ran comparison between R. Farlow and R. Malinow expert reports	0.20	75.00
	AS	Email correspondence with DNR and M. Murray regarding recent FirstEnergy document production and problems concerning same	0.30	235.50
10/25/2021	DR	Updates to subpoena tracking chart	0.10	37.50
	AS	Communicate with DNR regarding status of service of third-party subpoenas	0.60	471.00
10/26/2021	DR	Call with A. Szot and M. Murray re FirstEnergy production formats/ESI protocol	0.20	75.00
	AS	Communications with co-counsel concerning Defendants' document production and whether Defendants documents were produced in a manner that is fully compatible with document review platforms being evaluated	0.30	235.50
10/27/2021	MAM	Communicate with JND and co-counsel re: document production and database	0.40	390.00
10/28/2021	DR	Downloaded Grant Street production to public drive	0.10	37.50
	DR	Drafted email to defense counsel attaching Grant Street production	0.50	187.50
	DR	Email correspondence with Veritext re service of Generation Now and JPL & Associates	0.10	37.50
	DR	Prepared certified mail package for Friends of Larry Householder subpoena	0.10	37.50
11/01/2021	DR	Downloaded 10-29-2021 FirstEnergy production	0.20	75.00
	AS	Communications with MAM and representatives and JND regarding JND		

Discovery, depositions, etc.

			Hours	
	AS	hosting Relativity document management platform for this matter	0.30	235.50
	AS	Communicate with K. Roddy concerning preparation of timeline that could be used to help train document reviewers	0.20	157.00
	AS	Communicate with DNR regarding documents produced by Grant Street Consultants and the need to produce same to Defendants	0.30	235.50
11/02/2021	MAM	Review and analyze PUCO settlement and communications w/co-counsel re: same	1.80	1,755.00
	DR	Email status to A. Szot re third party subpoenas	0.10	37.50
	AS	Continued communications with JND regarding document review software and retention to host Relativity	0.20	157.00
11/03/2021	MAM	Draft and revise PO modification letter and communication with AS re: same	0.40	390.00
	DR	Email to defense counsel including link to Grant Street production documents	0.10	37.50
	AS	Communicate with opposing counsel concerning third-party production of documents and enclosing same	0.20	157.00
11/05/2021	AS	Assess status of outstanding third-party production and communicate with certain third-parties concerning status of production	0.50	392.50
11/09/2021	AS	Review and analyze timeline of facts for purposes of arriving at usable memo for anticipated document reviewers	0.70	549.50
	AS	Begin to compile and create memo for anticipated document reviews concerning case, litigation strategy, and coding parameters	1.90	1,491.50
11/13/2021	AS	Email correspondence with MAM regarding retention of JND as document management software provider	0.20	157.00
11/15/2021	DR	Final edits to letter re protective order; drafted email to counsel attaching same	1.20	450.00
11/16/2021	DR	Emails with JND re status of production uploads to ftp	0.10	37.50
	DR	Compressed production files; uploaded same to JND ftp	0.30	112.50
11/17/2021	DR	Compressed deposition files to upload to JND ftp	0.20	75.00
	AS	Multiple emails and calls concerning the status of FirstEnergy's document production and management of same	0.80	628.00
11/18/2021	DR	Compressed production files; uploaded same to JND ftp	0.20	75.00
11/19/2021	DR	Email to A. Szot re status of production uploads to JND ftp	0.10	37.50
	DR	Updates to subpoena tracking chart	0.40	150.00
11/22/2021	DR	Emails with M. Koslen and A. Szot re access to 11-19-21 FirstEnergy production	0.20	75.00
11/23/2021	DR	Compressed and uploaded 11-19-21 FirstEnergy production to JND ftp	0.10	37.50
11/29/2021	MAM	Communicate with co-counsel re: depositions for class cert	0.20	195.00
	MAM	Communicate with co-counsel re: depositions for class cert	0.20	195.00
11/30/2021	MAM	Telephone conference with AS re: strategy for depositions scheduled per recent scheduling order and impact of EH motion to vacate deposition dates	0.10	97.50

Discovery, depositions, etc.

			Hours	
	MAM	Telephone conference with AS re: strategy for depositions scheduled per recent scheduling order and impact of EH motion to vacate deposition dates	0.10	97.50
12/01/2021	MAM	Communicate from EH counsel re: dep schedule, communications with co-counsel re: same and review EH motion to vacate schedule	0.40	390.00
	DR	Downloaded FirstEnergy's 11-30-21 production; uploaded same to JND ftp	0.20	75.00
	AS	Email correspondence and calls with Dena Robinson concerning document review and FE's latest document production	0.70	549.50
12/02/2021	MAM	Attended Smith deposition	1.10	1,072.50
	AS	Correspondence among co-counsel concerning deposition scheduling and strategy	0.30	235.50
12/03/2021	DR	Email to T. Prunty re Relativity database and next steps	0.10	37.50
12/06/2021	MAM	Attended dep of Buldas	1.10	1,072.50
12/07/2021	DR	Email to A. Szot re missing production documents and response to JND re next steps	0.10	37.50
	DR	Drafted letter to defense counsel requesting missing production ranges; emailed same to A. Szot for review and edits	0.60	225.00
	AS	Communicate with MAM in order to determine staffing needs for document review of Defendants' production	0.40	314.00
	AS	Communicate with DNR regarding missing document productions	0.30	235.50
12/10/2021	AS	Communicate with JND regarding status of document production and preliminary search terms	0.40	314.00
	AS	Review file to prepare cast of characters and timeline for document reviewers	0.60	471.00
	AS	Communicate with DNR regarding FE document production	0.20	157.00
12/13/2021	AS	Prepare for and participate in conference call with JND regarding document review platform and organization of same	0.60	471.00
	AS	Communicate with opposing counsel regarding missing document production and purported failure to include metadata in two productions	0.40	314.00
	AS	Review ESI Protocol to prepare for call with opposing counsel regarding possible failure to include metadata in two productions	0.20	157.00
12/15/2021	AS	Draft timeline for document reviewers to reference during anticipated review of documents	2.10	1,648.50
12/21/2021	AS	Correspondence with DNR regarding recent defendant document production	0.30	235.50
12/28/2021	DR	Email to A. Szot re production downloads	0.10	37.50
	DR	Email correspondence to defense counsel requesting production links	0.20	75.00
12/29/2021	DR	Downloaded FirstEnergy productions to public drive	0.20	75.00
01/03/2022	DR	Uploaded additional production documents received from Defendants' counsel to JND ftp for loading to Relativity	0.10	37.50
	AS	Communicate with DNR regarding recent document productions	0.40	314.00
01/04/2022	DR	Downloaded Smith Dowling production to public drive	0.10	37.50

Account No: 1337-003C
Statement No: 1515

Discovery, depositions, etc.

Hours

01/05/2022	DR	Compressed production files to upload to JND ftp	0.20	75.00
01/06/2022	DR	Uploaded production documents to JND ftp for loading to Relativity database	0.10	37.50
01/14/2022	DR	Downloaded FirstEnergy production	0.10	37.50
01/18/2022	DR	Uploaded additional FirstEnergy production to JND ftp	0.10	37.50
01/24/2022	DR	Searched public drive and SharePoint for requested discovery; emailed same to A. Szot	0.20	75.00
	AS	Review file for purposes of drafting document requests to be served on Energy Harbor	1.30	1,020.50
01/25/2022	AS	Continue to prepare written discovery to be served on Energy Harbor	3.60	2,826.00
01/26/2022	AS	Continue to revise written discovery to Energy Harbor	2.30	1,805.50
02/25/2022	AS	Communicate with Margaret Murray concerning exchanging initial disclosures with Energy Harbor	0.30	235.50
03/08/2022	AS	Review file to prepare discovery plan concerning Energy Harbor	0.60	471.00
	AS	Begin drafting outline of discovery plan concerning Energy Harbor	1.30	1,020.50
03/09/2022	DR	Searched files for Word version of initial disclosures	0.10	37.50
	DR	Emailed final version of initial disclosures to A. Szot	0.10	37.50
	DR	Edits to Plaintiffs' supplemental initial disclosures	2.30	862.50
03/10/2022	AS	Email communication with lead counsel regarding status and strategy concerning merchant subpoenas	0.30	235.50
03/16/2022	DR	Updates to subpoena tracking chart; email to A. Szot attaching updated tracking chart	0.20	75.00
	AS	Email correspondence with co-lead counsel regarding status of third party discovery and also settlement strategy	0.60	471.00
03/29/2022	DR	Email correspondence with A. Szot re number of production documents produced by FirstEnergy	0.10	37.50
		For Current Services Rendered	211.30	157,786.50

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Marvin A. Miller	34.40	\$975.00	\$33,540.00
Lori A. Fanning	0.30	785.00	235.50
Andrew Szot	140.60	785.00	110,371.00
Kathleen E. Boychuck	0.40	725.00	290.00
Dena Robinson	35.60	375.00	13,350.00

Total for this Statement

157,786.50

Account No: 1337-003C
Statement No: 1515

Discovery, depositions, etc.

Balance Due

\$157,786.50

Analysis/Litigation Strategy/Case Management

Draft Statement

Hours

07/29/2020	AS	Multiple emails with co-counsel regarding litigation strategy	0.50	392.50
	AS	Prepare for and participate in conference call with co-counsel regarding litigation strategy and action plan	1.10	863.50
08/06/2020	AS	Email correspondence with co-counsel regarding next steps and action plan	0.50	392.50
08/13/2020	AS	Conduct analysis of opposing counsel in related cases to determine strategy with respect to service and lead counsel motion	0.80	628.00
	AS	Communicate with co-counsel regarding overall strategy	0.30	235.50
08/17/2020	DR	Edits to Westlaw alerts; attempted to determine why alerts created on Westlaw not working; calls to Westlaw customer service re same	0.40	150.00
08/18/2020	AS	Review and analyze recent developments and correspondence	0.50	392.50
08/24/2020	AJ	Emails from and to DR regarding pro hac vice applications for MAM and AS; preparation of checks to Clerk of U.S. District Court and prepare FedEx package to DR	0.50	237.50
	AS	Email correspondence with co-counsel and other attorneys relating to coordinating efforts on behalf of ratepayers	0.30	235.50
08/26/2020	AS	Participate and prepare for call with SC attorney regarding ratepayor claims and strategy with respect to same	0.60	471.00
08/27/2020	MAM	Communicate with co-counsel re strategy for amended complaint, possible AG alignment	0.40	390.00
08/28/2020	MAM	Communicate with Kerger and co-counsel re: thoughts in connection with prep of consolidated complaint	0.20	195.00
	MAM	Communicate with Kerger re: Buldas history and possible impact on class representative status	0.40	390.00
09/02/2020	MAM	Review and analyze memo from RK on continued representation in House by those who benefitted from bribes	0.10	97.50
09/03/2020	MAM	Review and analyze comments from Dennis re: prelude to receipt of memo	0.10	97.50
09/04/2020	AS	Review and analyze Dennis Murray's memo regarding potential theories of liability and damages	0.60	471.00
	AS	Conference call with co-counsel regarding strategy	0.60	471.00
09/09/2020	AS	Monitor criminal arraignment	0.40	314.00
	AS	Email correspondence to co-counsel regarding criminal arraignment	0.30	235.50
09/11/2020	MAM	Draft and revise consolidated complaint and potential claims and relief	0.70	682.50
09/14/2020	MAM	Communicate with co-counsel re: workings of the legislature, meetings etc and		

Analysis/Litigation Strategy/Case Management

			Hours	
		basis for additional discovery	0.30	292.50
09/15/2020	MAM	Review and analyze Consolidated complaint	0.60	585.00
09/18/2020	MAM	Communicate with co-counsel re: additions to consolidated complaint, charts and illustrations for MTD prep	0.40	390.00
09/29/2020	MAM	Review and analyze draft consolidated complaint	1.10	1,072.50
10/03/2020	AS	Email correspondence with co-counsel regarding recent news articles pertaining to defendants and other lawsuits filed	0.40	314.00
10/05/2020	MAM	Communicate with co-counsel re: state court complaint and good faith claim potential	0.20	195.00
10/06/2020	MAM	Communicate with co-counsel re: debrief re: HB 6 hearings report from DM and scheduling of consolidated complaint and MTD briefing	0.20	195.00
	AS	Communicate with co-counsel regarding strategy and recent developments	0.60	471.00
10/12/2020	AS	Communicate with co-counsel re: recent developments	0.50	392.50
10/25/2020	AS	Email correspondence with communication with MAM regarding discovery strategy	0.40	314.00
10/28/2020	MAM	Review and analyze cases and proposed Consolidates complaint	1.10	1,072.50
	MAM	Review and analyze cases and proposed Consolidates complaint	1.10	1,072.50
10/30/2020	AS	Participate in weekly co-counsel call	0.50	392.50
	AS	Call into hearing in criminal case and communicate with team regarding same	0.40	314.00
11/03/2020	MAM	Communicate with RK re: Protocols and communication with US Attorney re: discovery issues	0.20	195.00
11/06/2020	MAM	Telephone conference with co-counsel re: general strategy on discovery, MTD response and use of docs from public sources in support of opposition to MTD	0.40	390.00
11/13/2020	MAM	Telephone conference with co-counsel re: strategy for discovery plan and submission	0.40	390.00
11/16/2020	MAM	Draft and revise opp to MTD	1.20	1,170.00
11/20/2020	AS	Participate in weekly co-counsel call regarding litigation strategy and current action plan with respect to pending/pressing issues	0.70	549.50
11/23/2020	MAM	Telephone conference with AS, KR, DM, depts counsel re: discovery scheduling, motion to stay and 26f report	0.30	292.50
	MAM	Telephone conference with AS, KR, DM re: strategy for motion to dismiss opp; class cert motion, opposition to motion to stay and motion for constructive trust	0.40	390.00
12/01/2020	AS	Participate in conference call with co-counsel regarding strategy	0.80	628.00
12/06/2020	AS	Review recent newspaper articles pertaining to case	0.50	392.50

Analysis/Litigation Strategy/Case Management

Hours

12/21/2020	MAM	Review and analyze articles in connection with PI in Franklin County and impact on our case and discovery response to court	0.70	682.50
12/22/2020	MAM	Review and analyze articles, case summaries and AG complaint and exhibits	0.60	585.00
12/26/2020	MAM	Review and analyze transcript from State and cities hearing on motion to stay and for preliminary injunction	0.60	585.00
	AS	Review and analyze latest factual developments in investigations and legislative remedy	1.20	942.00
12/29/2020	MAM	Review and analyze Ohio Supreme Court decision and communications w/co-counsel re: strategy and letter to Mag. Judge Jolson	0.40	390.00
01/01/2021	AS	Email correspondence with co-counsel regarding recent legislative developments	0.40	314.00
01/11/2021	AS	Review and analyze recent newspaper articles and developments in related actions for purposes of determining/assessing litigation strategy	0.90	706.50
01/18/2021	MAM	Telephone conference with AS, RK, KR, MM, DM re: status of cases and injunction, strategy for constructive trust and possible bond requirement, potential BK issues	0.70	682.50
	AS	Conference call regarding strategy	0.60	471.00
	MAM	Telephone conference with AS, RK, KR, MM, DM re: status of cases and injunction, strategy for constructive trust and possible bond requirement, potential BK issues	0.70	682.50
01/22/2021	MAM	Telephone conference with co-counsel re: strategy for Rule 16 conference and motion for relief	0.60	585.00
	AS	Participate in weekly conference call regarding litigation strategy and recent developments	0.60	471.00
	MAM	Telephone conference with co-counsel re: strategy for Rule 16 conference and motion for relief	0.60	585.00
02/10/2021	MAM	Review and analyze and parse opinion on MTD and formulate next step in light of opinion	0.90	877.50
02/12/2021	MAM	Telephone conference with co-counsel re: strategy for constructive trust, 26(f) conference, class cert motion timing and written discovery	1.00	975.00
	AS	Participate in weekly co-counsel call	0.80	628.00
02/17/2021	MAM	Draft and revise discovery plan and communications with co-counsel re: same	0.20	195.00
02/19/2021	MAM	Review and analyze recent articles and status of parallel case materials	0.70	682.50
02/22/2021	MAM	Draft and revise 26(f), discovery plan and several communications with co-counsel and conf call with defendants' counsel	1.70	1,657.50
02/24/2021	AS	Prepare for and participate in co-counsel call regarding discovery and litigation strategy and schedule	0.80	628.00

Analysis/Litigation Strategy/Case Management

Hours

02/25/2021	MAM	Draft and revise 26(f) report, Plan of Discovery and communications with co-counsel re: same	1.20	1,170.00
03/07/2021	MAM	Communicate with co-counsel re: need for experts and cases sent by KR re: same where courts denied need for analogous cases when damages are essentially arithmetical	0.40	390.00
03/09/2021	AS	Conduct analysis of recent newspaper articles relating to case and assess status of other actions relating to same conduct as alleged in instant putative class action on behalf of rate payers	2.10	1,648.50
03/10/2021	MAM	Review and analyze Answers to Amended Complaint filed by the various defendants	1.30	1,267.50
	AS	Conference call with co-counsel regarding outstanding items and litigation strategy	0.60	471.00
03/15/2021	MAM	Communicate with co-counsel re: status of AG cases and review of cases	0.70	682.50
03/26/2021	MAM	Telephone conference with co-counsel re: ESI, initial disclosures, Answer from Jones, 30(b)(6) dep notices and 3d party subpoenas including to gov't re: 302s	0.60	585.00
04/01/2021	MAM	Review and analyze articles and communications from DM and RK re: HB6 and HB128 and impact on damages	0.70	682.50
04/02/2021	MAM	Telephone conference with co-counsel re: disclosures, PUCO dialogue with Dennis and report of same & its impact on strategy for discovery	0.90	877.50
	AS	Participate in conference call with co-counsel concerning strategy and outstanding issues and assignments	1.10	863.50
04/07/2021	AS	Multiple emails and case law analysis with respect to Defendants' request for protective order	1.10	863.50
04/09/2021	AS	Participate in weekly call with co-counsel to address outstanding matters and to discuss litigation strategy and assignments	0.90	706.50
04/15/2021	MAM	Communicate with co-counsel re: damages issues and potential calculation of same and possible tracing to ratepayers	0.60	585.00
04/16/2021	MAM	Telephone conference with co-counsel re: protective order, expert retention, coordination with other cases for discovery	0.50	487.50
04/19/2021	MAM	Telephone conference with DM, Gladman & Tiffany-Jackson re: possible settlement mediation; tel w/co-counsel re: report of prior call w/defendants and strategy for proceeding to possible settlement discussions; tel w/DM, Cheryl Roberto & Woolf re: possible experts and understanding of possible damages	1.10	1,072.50
	DR	Searched PACER for all FirstEnergy related matters; created list of same	1.10	412.50
	AS	Prepare for and participate in co-counsel call regarding outstanding issues	0.50	392.50
	AS	Draft, revise, and edit preservation of evidence letter	1.60	1,256.00
	AS	Continue to research 6th Circuit law to develop preservation of evidence strategy	3.20	2,512.00
	AS	Analyze filings in other lawsuits filed against FirstEnergy for purposes of preparing third-party discovery	1.70	1,334.50

Analysis/Litigation Strategy/Case Management

Hours

04/20/2021	MAM	Communicate with co-counsel re: expert retention and strategy for possible mediation and revise mediation letter to defendants	0.40	390.00
	DR	Searched PACER for all FirstEnergy related matters; finished list of same	1.50	562.50
	DR	Email to A. Jewell re upload of documents listed on third party preservation letter	0.10	37.50
	AS	Revise and edit preservation of evidence letter to third-parties	0.60	471.00
04/21/2021	MAM	Draft and revise mediation letter to defendants and communication with co-counsel re: same	0.40	390.00
04/23/2021	MAM	Telephone conference with AS and KPR re: opposition to motion for protective order	0.20	195.00
	MAM	Draft and revise opposition to motion for protective order	0.70	682.50
04/24/2021	AS	Email correspondence with co-counsel and analysis of press release to assess and evaluate proper class definition	0.60	471.00
04/25/2021	AS	Email correspondence with co-counsel regarding outstanding tasks, and litigation strategy and tactics	0.40	314.00
04/26/2021	AS	Prepare for and participate in conference call with co-counsel regarding outstanding issues and tasks	0.60	471.00
	AS	Read memo to file concerning interview of John Finnegan	0.30	235.50
04/27/2021	MAM	Review and analyze decision in connection w/Whistleblower case and communications w/co-counsel re: same	0.10	97.50
05/03/2021	MAM	Telephone conference with co-counsel re: discovery issues, merits discovery to be advanced, expert for attempt to distinguish damages above and below the line, additional plaintiffs for other than Ohio members of the class, and class definition	0.90	877.50
	AS	Participate in conference call with co-counsel regarding outstanding items and overall strategy	0.60	471.00
05/05/2021	MAM	Telephone conference with Cheryl Roberto and Tim Woolf re: various damages calculations for class cert and constructive trust potential motion	0.40	390.00
05/06/2021	MAM	Telephone conference with DM, Cheryl Roberto and Tim Woolf re: Ovec fees, decoupling fees and nuclear fees; determination of same and allocation among members of the class	0.70	682.50
05/07/2021	MAM	Review and analyze SEET received from Cheryl Roberto	0.80	780.00
	MAM	Telephone conference with AS, DM, MM, KR, RK, EM various damages strategy, OVEC fees and recoupment of same, written discovery issues and discussion with defendants re: same	0.70	682.50
	MAM	Communicate with co-counsel re: motion to strike affirmative defenses and prelim research re: same	0.40	390.00
	AS	Email correspondence with Dennis Murray regarding third-party discovery and strategy	0.40	314.00
05/14/2021	MAM	Review and analyze orders re: 502(d) and Protective order; memorandum		

Analysis/Litigation Strategy/Case Management

		opinion in connection with the two orders	Hours 0.40	390.00
05/19/2021	MAM	Review and analyze damages calculations and cases re: setoffs plus additional elements for bribes	1.60	1,560.00
05/20/2021	MAM	Telephone conference with DM, Cheryl Roberto and Tim Wolf re: data received from FE and preliminary damages and customer base	0.50	487.50
	MAM	Review and analyze data for damages calculation, review cases on damages; communications with co-counsel re: same	2.90	2,827.50
05/21/2021	MAM	Telephone conference with co-counsel re: damages analysis and review cases from KPR	1.60	1,560.00
05/24/2021	MAM	Review and analyze additional proposed mediator and communication from KPR re: same	0.20	195.00
05/25/2021	MAM	Review and analyze credentials of all potential mediators and prep for call with defendants re: same	0.70	682.50
	MAM	Communicate with co-counsel re: potential mediators	0.10	97.50
05/26/2021	MAM	Telephone conference with DM and Karon re: potential mediators	0.50	487.50
	MAM	Telephone conference with plaintiffs' counsel and defendants' counsel re: potential mediators	0.60	585.00
	MAM	Telephone conference with Daniela at Hochberg's office re: mediation dates available and subsequent communications in response to her inquiries	0.40	390.00
	MAM	Communicate with Wayne Andersen re: possible mediation and available dates	0.40	390.00
05/28/2021	MAM	Telephone conference with AS, RK, MM and EM re: prep of mediation statement and strategy	0.40	390.00
	MAM	Communicate with Hochberg and staff re: mediation requirements, availability, communications w/co-counsel and defendants' counsel re: same	0.90	877.50
05/30/2021	MAM	Communicate with F Hochberg re :mediation management and corrected fee schedule	0.10	97.50
06/02/2021	MAM	Communicate with defendants' counsel and DM re: Gerald Rosen, Meyer, Hochberg as potential mediators	0.10	97.50
06/03/2021	MAM	Telephone conference with Karon re: Rosen as mediator, background and experiences	0.30	292.50
	MAM	Telephone conference with DM re: mediation strategy, mediator, insurance policies, and various issues	0.10	97.50
	MAM	Draft and revise preliminary draft of mediation section from KPR re: damages	0.60	585.00
06/07/2021	MAM	Review and analyze communication from Tiffany to DM re: insurance coverage issues	0.20	195.00
06/08/2021	MAM	Telephone conference with Emmons' Plaintiffs' counsel re: mediators and strategy for mediation; communication w/defendants re: same	0.40	390.00
06/11/2021	MAM	Communicate with Defendants' counsel, Emmons counsel and State AG re: mediator and dates	0.30	292.50

Analysis/Litigation Strategy/Case Management

Hours

06/15/2021	MAM	Draft and revise mediation statement and damages analysis	2.10	2,047.50
06/16/2021	MAM	Communicate with DM and co-counsel re: mediation statement and damages	0.20	195.00
06/18/2021	MAM	Telephone conference with AS, DM,. MM, and RK mediation statement, class cert motion and general strategy	0.60	585.00
06/21/2021	MAM	Review and analyze Power Point presentation and communication from Eric Marcy re: same and damages potential presentation	0.70	682.50
06/23/2021	MAM	Communicate with KRP and DM re: general strategy	0.40	390.00
	MAM	Communicate with all counsel re: mediation issues	0.20	195.00
06/28/2021	MAM	Communicate with co-counsel re: mediation issues and protocol	0.10	97.50
	MAM	Communicate with co-counsel re: damages analysis for class cert brief	0.60	585.00
06/29/2021	MAM	Communicate with plaintiffs' counsel and mediator's office re: scheduling	0.30	292.50
	MAM	Draft and revise letter to Gladman re: demand and counter offer pre mediation	0.20	195.00
	MAM	Telephone conference with co-counsel re: damages analysis for settlement demand	0.40	390.00
06/30/2021	MAM	Telephone conference with DM, M Gladman and Tiffany re: mediation, suspension of class discovery and briefing and further conditions for plaintiffs to participate in good faith mediation	0.40	390.00
07/01/2021	MAM	Telephone conference with mediator (Rosen) and plaintiffs and defense counsel re: mediation issues	1.50	1,462.50
07/02/2021	MAM	Communicate with DM, Tiffany and M Gladman re: class stip, mediation, stay of class discovery	0.30	292.50
	MAM	Telephone conference with DM, C Miller and ass't re: mediation issues	0.50	487.50
	MAM	Telephone conference with co-counsel re: status of conversations with defendants, OAG, and mediator	0.60	585.00
07/03/2021	AS	Analyze recent filings in securities fraud action	0.50	392.50
07/05/2021	MAM	Review and analyze recent 10Q	0.40	390.00
07/06/2021	MAM	Review and analyze current mediation statement with edits	0.70	682.50
07/07/2021	MAM	Communicate with all plaintiffs' counsel and defense counsel re: mediation and scheduling	0.10	97.50
07/09/2021	MAM	Telephone conference with DM, Vince Sheheen and Gibson Solomons re: mediation strategy and damages	0.40	390.00
07/10/2021	MAM	Telephone conference with AS, RK, KR, DM and MM re: damages and mediation strategy	0.60	585.00
	MAM	Review and analyze Bukhannon decision from S Ct	0.20	195.00
07/11/2021	MAM	Draft and revise class action section for confidential mediation statement and		

Analysis/Litigation Strategy/Case Management

			Hours	
		communication with co-counsel	0.70	682.50
07/12/2021	MAM	Draft and revise mediation statement, letter to mediator, tel w/DM and Emmons counsel re: same and coordination; review various cases, and damages analysis	4.70	4,582.50
07/14/2021	MAM	Draft and revise confidential mediation statement and communications w/co-counsel re: same	0.60	585.00
07/16/2021	MAM	Draft and revise memo letter to Rosen for mediation and mediation statement; communication with KPR re: slide presentation for mediation; communications w/Emmons counsel re: mediation	3.70	3,607.50
07/18/2021	MAM	Review and analyze Emmons plaintiff's mediation statement and communication with co-counsel re: same	0.20	195.00
07/19/2021	MAM	Review and analyze defendants' responses and settlement offers	0.20	195.00
07/20/2021	MAM	Telephone conference with co-counsel re: reaction and proposed response to Defendants' settlement offer	0.40	390.00
07/21/2021	MAM	Telephone conference with DM and Emmons counsel re: strategy in response to defendants' settlement offer; tel w/Gibson and Rosen re: reaction to settlement offers, mediation protocols	0.80	780.00
07/22/2021	MAM	Review and analyze DPA, tel w/DM and Gibson Solomon and Jay for Emmons, communications w/co-counsel re: jurisdiction to decide setoff in connection with FE Fed criminal case settlement, offensive collateral estoppel	2.40	2,340.00
	AS	Review and analyze recently filed and/or publicly disclosed articles and filings pertaining to FirstEnergy and other defendants named in complaint	1.60	1,256.00
07/23/2021	MAM	Review and analyze damages, review an prep slides for mediation, communications w/co-counsel re: same, set-off issue and calculation of damages and review cases re: same	2.40	2,340.00
07/25/2021	MAM	Plan and prepare for mediation, travel to Cleveland for same and conference with KPR re: strategy and potential issues to be addressed	6.60	6,435.00
07/26/2021	MAM	Attended meeting w/KPR re: pre mediation additional issues and strategy and attend mediation with DM, KPR, Emmons counsel and defendant parties; post mediation session strategy	13.80	13,455.00
07/27/2021	MAM	Attended meeting with DM and KPR re: pre mediation session; attend mediation and travel from mediation to Chicago and formulate strategy for EH complaint and class notice and notice plan	11.90	11,602.50
07/28/2021	MAM	formulate strategy for EH separate complaint, communications w/SC attys re: coordination of actions, reactivate discovery conversation w/AS in connection with custodians, class rep depositions, requests to admit, review DPA for additional evidence	3.20	3,120.00
07/29/2021	MAM	Communications with co-counsel re: RFAs, settlement negotiating positions,		

Analysis/Litigation Strategy/Case Management

Hours

		EH complaint and strategy for separate complaint, amended complaint and/or adding claims solely against EH in existing complaint	0.90	877.50
07/30/2021	MAM	Telephone conference with AS, RK, KR,DM,MM, Emmons counsel re: mediation position on brackets and strategy for evaluation and response	0.80	780.00
	MAM	Communications with co-counsel re: strategy for EH amended complaint v. separate complaint and ramifications and impact	0.70	682.50
	AS	Multiple emails and calls with co-counsel regarding litigation strategy	0.70	549.50
	AS	Participate in call with co-counsel and counsel for plaintiffs' in the Emmons action concerning mediation and next steps	0.60	471.00
07/31/2021	MAM	Draft and revise complaint to bring EH into case, review cases on best vehicle to add EH et al	1.70	1,657.50
	AS	Multiple emails with co-counsel regarding litigation strategy concerning Energy Harbor	0.50	392.50
08/02/2021	MAM	Communicate with co-counsel re: strategy for adding EH et al as new parties defendant	1.60	1,560.00
	MAM	Telephone conference with mediator and subsequent call with DM, VS, J Ward and Gladman re: possible settlement	0.40	390.00
	AS	Draft memo to file concerning whether to add Energy Harbor to the pending lawsuit or whether to file a new lawsuit that names Energy Harbor as a defendant	0.70	549.50
	AS	Conduct research concerning whether to add Energy Harbor to the pending lawsuit or whether to file a new lawsuit that names Energy Harbor as a defendant	3.50	2,747.50
	AS	Conduct legal research regarding FE's ability to file a new motion to dismiss if we name EH as a new party to the existing litigation	1.90	1,491.50
	AS	Email correspondence with MAM regarding legal research regarding FE's ability to file a new motion to dismiss if we name EH as a new party to the existing litigation	0.30	235.50
08/03/2021	MAM	Review and analyze articles from Plain Dealer and Randazzo involvement and payments	0.60	585.00
08/05/2021	MAM	Draft and revise Joint Prosecution and Common Interest Agreement	1.60	1,560.00
08/06/2021	MAM	Draft and revise Joint Prosecution and Common Interest Agreement	1.70	1,657.50
08/09/2021	MAM	Communicate with co-counsel re: DM discussion with Finnegan and damages issue	0.10	97.50
08/12/2021	AS	Review and analyze plaintiffs' opposition to defendants motion to stay in the shareholder derivative action for purposes of staying apprised of all of the action pending against First Energy both for purposes of assessing litigation and settlement strategy	0.40	314.00
	AS	Analyze FE document concerning custody, control, and possession defense to producing EH documents	1.20	942.00
	AS	Conduct research regarding First Energy's objection to producing Energy Harbor documents	4.70	3,689.50
08/16/2021	AS	Prepare for and participate in conference call with co-counsel regarding joint		

Analysis/Litigation Strategy/Case Management

		prosecution agreement and case strategy	Hours 0.70	549.50
08/17/2021	MAM	Telephone conference with DM and Gibson S re: possible strategy to advance settlement discussions	0.90	877.50
08/18/2021	MAM	Telephone conference with DM, Gibson, Vincent and Jay re: settlement negotiation strategy and alternative plan for settlement structure	0.40	390.00
	MAM	Draft and revise proposed settlement provision for new settlement structure	0.90	877.50
08/19/2021	MAM	Draft and revise alternative settlement proposal and communication with DM and SC Group re: same	0.40	390.00
08/23/2021	MAM	Telephone conference with SC Group and DM re: strategy for possible settlement discussion w/FE	0.30	292.50
	MAM	Communicate with Gibson re: RFAs to Smith Defendants	0.10	97.50
	MAM	Review and analyze Common Interest Agreement	0.40	390.00
08/24/2021	MAM	Telephone conference with DM, Gibson, Vince & Rosen re: proposed settlement terms; revise draft of same and communications with Rosen re: same	0.70	682.50
	MAM	Draft and revise notice plan and communication with Eric M @ ABD re: same	1.10	1,072.50
08/25/2021	MAM	Review and analyze notice plan and communication w/Eric Miller re: same	0.80	780.00
08/26/2021	DR	Gathered requested briefing related to Doe v. Dublin City School District Board of Education's September 19, 2019 order; emailed same to A. Szot	0.50	187.50
08/27/2021	MAM	Telephone conference with AS, DM, MM, RK, KR re: strategy for motion for imposition of constructive trust, common interest agreement with SC Group counsel	0.50	487.50
	DR	Searched Westlaw for all criminal matters involving FirstEnergy, and related to House Bill 6	2.20	825.00
	AS	Prepare for and participate in weekly co-counsel call regarding litigation strategy and assignments	0.90	706.50
	AS	Draft email to co-counsel concerning status of certain offensive discovery efforts	0.20	157.00
08/30/2021	DR	Identified the name and contact information for the Assistant Attorney General of the Criminal Division of the United States Department of Justice; emailed same to A. Szot	0.20	75.00
	DR	Collected civil subpoena form and all initial disclosures; forwarded same to A. Szot	0.20	75.00
08/31/2021	MAM	Communicate with SC Group re: experts and discovery protocols and strategy for possible settlement discussions	0.20	195.00
09/02/2021	MAM	Review and analyze Dormady CV and research background	0.30	292.50
09/10/2021	MAM	Telephone conference with DM, Gibson S and J Ward re: potential consultant/expert	0.60	585.00
09/17/2021	MAM	Telephone conference with DM, MM, RK, GS, Jay Ward, and Noah Dormady		

Analysis/Litigation Strategy/Case Management

			Hours	
		re: damages analysis	1.10	1,072.50
	MAM	Telephone conference with AS, RK, KR, DM and MM re: Common Interest agreement, amended or new complaint for EH, motion and draft motion to add parties	1.20	1,170.00
	AS	Participate in conference call with co-counsel regarding litigation strategy and next steps	0.80	628.00
09/20/2021	MAM	Draft and revise Common Interest Agreement with Emmons Plaintiffs and communication with Smith Co-counsel	0.70	682.50
09/23/2021	AS	Review and analyze recent and pertinent legal opinions to assess and further evaluate litigation strategy	3.10	2,433.50
	MAM	Telephone conference with AS, DM, RK re: motion to file amended complaint and strategy	0.50	487.50
	MAM	Draft and revise motion to file amended complaint and tel w/AS, KR, RK and DM re: amended complaint, strategy and filing	0.70	682.50
09/24/2021	MAM	Telephone conference with AS, RK, KR, DM re: motion to add party and proposed amended complaint issues	0.30	292.50
	MAM	Telephone conference with AS, DM, RK re: common interest agreement, amended complaint and discovery matters	0.60	585.00
	AS	Prepare for and participate in weekly co-counsel conference call	0.70	549.50
09/27/2021	MAM	Draft and revise amended consolidated complaint and motion for leave to file	0.40	390.00
	AS	Revise and edit draft of common interest agreement	1.20	942.00
09/28/2021	MAM	Telephone conference with AS, DM, RK, KR, V Sheheen, Jay Ward and John Alprin re: database, doc production, common interest and cost sharing	0.50	487.50
	AS	Prepare for and participate in calls with SC attorneys regarding common interest agreement and call regarding coordination and next steps	0.90	706.50
09/29/2021	MAM	Telephone conference with AS and JW re: common interest agreement and cost sharing	0.40	390.00
	MAM	Telephone conference with DM, V Sheheen, Gibson S re: strategy to possible reopen of settlement with FE and communication with G Rosen re: same	0.40	390.00
09/30/2021	MAM	Draft and revise common interest and cost sharing agreement and communications w/J Ward re: same	0.40	390.00
10/01/2021	AS	Revise and edit of common interest agreement	0.90	706.50
	AS	Calls and emails with MAM and SC counsel regarding common interest agreement terms and next steps	0.70	549.50
	AS	Analyze Touhy request response and case law and statutes cited therein and evaluate strategy in light of same	1.10	863.50
	AS	Email correspondence with Rick Kerger regarding Touhy Request strategy	0.30	235.50
10/05/2021	AS	Research case law on Umbrella theory for purposes of evaluating class wide damages strategy	2.60	2,041.00
	AS	Draft, revise, and edit memo to fil on umbrella theory damages	1.30	1,020.50
10/06/2021	DR	Updates to distribution list	0.20	75.00

Analysis/Litigation Strategy/Case Management

Hours

10/07/2021	MAM	Telephone conference with AS, RK, KR, DM, MM re: doc production and database attributes and comparisons; communications w/Scott Lombard at JND re: same and costing	1.10	1,072.50
	MAM	Telephone conference with AS, RK, KR, DM, MM re: doc production and database attributes and comparisons; communications w/Scott Lombard at JND re: same and costing	1.10	1,072.50
	AS	Participate in conference call with co-counsel regarding litigation strategy and discovery	0.70	549.50
	AS	Multiple emails with K. Roddy regarding umbrella theory damages for purposes of assessing litigation strategy	0.40	314.00
10/14/2021	AS	Review and analyze Akin Gump declarations filed in the Energy Harbor	0.60	471.00
	AS	Email correspondence concerning Akin Gump declarations filed in the Energy Harbor case	0.40	314.00
	MAM	Review and analyze materials from MM	1.20	1,170.00
10/19/2021	MAM	Telephone conference with DM, VS, & GS re: settlement negotiating strategy for direct dealings with FE	0.90	877.50
10/20/2021	MAM	Draft and revise common interest agreement and communications with DM and SC Group re: same	0.40	390.00
10/22/2021	AS	Review and analyze recent filings made in related cases for purposes of formulating and assessing litigation strategy	0.60	471.00
	AS	Communicate with R. Kerger re: implications of recent filings made in the pending criminal proceeding	0.40	314.00
10/25/2021	AS	Email correspondence with co-counsel regarding strategy with respect to reply brief in support of motion for leave to amend complaint to add parties	0.70	549.50
10/26/2021	AS	Prepare for and participate in Relativity document management review demonstration for purposes of determining appropriate document review software for litigation	0.60	471.00
	AS	Correspondence with MAM regarding litigation strategy, especially in relation to preparation of reply brief in further support of motion to add parties	0.60	471.00
10/28/2021	MAM	Telephone conference with AS, DM, MM, RK, & KR re: settlement negotiation w/FE strategy	0.60	585.00
10/29/2021	MAM	Telephone conference with DM and VS re: strategy for reopening possible settlement discussions w/FE and Common Interest Agreement	0.30	292.50
	AS	Review and analyze protective orders entered in the Smith Matter and Emmons Matter to determine how best to approach Defendants regarding modifying the protective order	1.30	1,020.50
	AS	Draft, revise, and edit letter to defendants regarding modifying the protective orders entered in both the Smith and Emmons matters	0.50	392.50
11/01/2021	AS	Review and analyze protective orders entered in Smith and Emmons Actions for purposes of assessing strategy concerning the sharing of produced documents b/w plaintiffs' counsel in both cases	1.20	942.00
	AS	Draft, revise and edit letter seeking Defendants' agreement to modify the protective orders entered in Smith and Emmons Actions	0.70	549.50

Analysis/Litigation Strategy/Case Management

			Hours	
	AS	Email correspondence with Plaintiff's counsel in Emmons action concerning strategy with respect to modifying protective orders entered in Smith and Emmons actions so that plaintiffs' counsel in both matters can discuss documents produced by Defendants in both cases	0.40	314.00
	AS	Email correspondence with co-counsel regarding strategy relating to modifying protective orders in both Emmons and Smith Actions	0.40	314.00
	AS	Review summary of First Energy settlement with certain plaintiff groups	0.50	392.50
	AS	Email correspondence with co-counsel regarding FirstEnergy settlement and implications to pending action and strategy with respect to settlement	0.50	392.50
11/02/2021	MAM	Review and analyze Emmons motion for leave to amend complaint and communications to/from co-counsel re: same	0.40	390.00
	AS	Continued communications with co-counsel concerning implications stemming from FirstEnergy's recently announced \$300 million settlement	0.60	471.00
	AS	Revise and edit letter regarding modification of protective order	0.40	314.00
	AS	Communicate with co-counsel regarding revisions to letter seeking modification of protective orders in Smith and Emmons actions and strategy with respect to same	0.40	314.00
11/04/2021	AS	Communicate with Gibson Solomons and Jessica Fickling concerning strategy to modify protective orders in both Emmons and Smith actions	0.40	314.00
11/05/2021	MAM	Draft and revise settlement negotiation position and communications w/DM and SC Group counsel re: same	0.40	390.00
	AS	Review and analyze transcript of pending criminal trial	0.20	157.00
11/08/2021	MAM	Draft and revise notices and review notice plan	2.70	2,632.50
11/09/2021	MAM	Draft and revise notices and notice plan and review cases in connection with methodology for providing notice	2.10	2,047.50
	LAF	Analyze class certification opinion	0.90	706.50
	LAF	Email exchanges with Marvin Miller and Miller Law attorneys	0.20	157.00
11/10/2021	MAM	Draft and revise notices, review notice plan, communications w/AS re: same and prep of motion and memo in support of notices and plan; tel w/DM , Vince Shaheen , and Gibson re: class cert developments; review order from the court re: amended complaint; tel w/DM, Gladman and subsequent call with Gibson re: discussion re: Gladman's approach to vacate class cert order and strategy developments and impact on potential mediation.	6.70	6,532.50
11/11/2021	MAM	Draft and revise notices, notice plan refinements, and communications w/co-counsel re: service issues, local rules for same; tel w/T Glenn and communications w/Linda Young re: strategy for electronic pop-up notice for billing	2.70	2,632.50
11/12/2021	AS	Multiple calls and emails with co-counsel concerning strategy with respect to FirstEnergy's anticipated motion to reconsider the Court's granting of class certification	0.70	549.50
	AS	Conduct legal research for purposes of evaluating and arriving at appropriate strategy in relation to FirstEnergy's anticipated challenge to the Court's granting of class certification	1.20	942.00
	AS	Review and analyze FirstEnergy's motion to reconsider concerning the Court's		

Analysis/Litigation Strategy/Case Management

			Hours	
		Order certifying the Class	0.40	314.00
11/15/2021	AS	Email correspondence and calls concerning letter to opposing counsel seeking modification of protective order	0.50	392.50
11/16/2021	MAM	Telephone conference with DM, V Shaheen and Gibson re: settlement negotiation strategy, demand directly to FE and response to Rosen (mediator)	0.40	390.00
	AS	Continue to analyze applicable case law for purposes of preparing memorandum of law in support of motion to approve Class notice plan	3.70	2,904.50
11/17/2021	AS	Review and analyze FirstEnergy's answer to consolidated amended complaint	1.30	1,020.50
11/18/2021	MAM	Communicate with DM re: response to Rosen re: call for potential mediation discussion and modification of response	0.20	195.00
11/19/2021	AS	Review and analyze Defendant FirstEnergy's motion for judgment on the pleadings and memorandum in support of same	1.10	863.50
11/20/2021	AS	Conduct review of record and FirstEnergy exhibits to Rule 12(c) motion for purposes of preparing response in opposition to FirstEnergy Defendants' motion for judgment on the pleadings	0.80	628.00
11/24/2021	MAM	Telephone conference with DM, AS, KR, Gibson, John A re: damages and Dormady measure of damages	0.70	682.50
11/29/2021	MAM	Draft and revise motion for clarification on briefing of FE motion for judgment on pleadings	0.70	682.50
	MAM	Draft and revise motion for clarification on briefing of FE motion for judgment on pleadings	0.70	682.50
	AS	Email correspondence with co-counsel regarding motion to set briefing schedule on pending Rule 12 motions	0.40	314.00
11/30/2021	MAM	Communicate with co-counsel re: EH motion in connection with depositions, review EH motion and formulate strategy re: same	0.40	390.00
	MAM	Communicate with co-counsel re: EH motion in connection with depositions, review EH motion and formulate strategy re: same	0.40	390.00
	AS	Multiple email correspondence with co-counsel concerning preparation and strategy in responding in opposition to recently filed Rule 12 motions	0.60	471.00
	AS	Communicate with Defendants' counsel concerning opposition to motion to set briefing schedule on recently filed Rule 12 motions	0.40	314.00
	AS	Communicate with MAM concerning strategy relating to upcoming plaintiff depositions and Energy Harbor's stated position concerning same	0.40	314.00
12/03/2021	MAM	Telephone conference with co-counsel re: dep debriefing and strategy for opposition to motion for JOP	0.70	682.50
12/06/2021	MAM	Telephone conference with R Lamb and Chris Jackman re: potential damages expert	0.40	390.00
	MAM	Telephone conference with DM, Gibson and Vince Shaheen re: settlement negotiation strategy viz a vis use of mediator or direct with FE counsel	0.40	390.00
12/07/2021	MAM	Telephone conference with DM, R Lamb, J Schwartz, and A Kleit re: damages		

Analysis/Litigation Strategy/Case Management

			Hours	
	MAM	analysis and potential expert	0.60	585.00
	MAM	Communicate with co-counsel re: Buldas dep and assessment as class rep, review withdrawal and review case on adequacy specific to Buldas potential challenge as class rep	0.70	682.50
12/08/2021	MAM	Communicate with DM re: settlement negotiation strategy	0.10	97.50
	MAM	Communicate with co-counsel re: strategy for dropping potential class rep and review motion for same	0.20	195.00
12/09/2021	MAM	Telephone conference with DM, VS, & Gibson re: settlement negotiating positions and strategy	0.40	390.00
12/10/2021	MAM	Review and analyze opposition to JOP	0.40	390.00
12/11/2021	MAM	Telephone conference with DM, VS and Gibson S re: report on settlement conf w/Gladman and strategy to respond and negotiating strategy	0.40	390.00
12/13/2021	AJ	Emails to and from Marvin regarding invoice from JND eDiscovery; forward current invoice to Dennis Murray; email to accounting department at JND eDiscovery to forward all future invoices to Murray and Murray, with a copy to Miller Law	0.60	285.00
12/15/2021	MAM	Communicate with co-counsel re: settlement negotiating positions	0.40	390.00
12/16/2021	LAF	Email to Jorge Ramirez asking to be removed from the distribution list from ECF on this case	0.10	78.50
12/17/2021	MAM	Communicate with co-counsel, SC Group counsel and pre for mediation on 12/20	0.70	682.50
12/18/2021	MAM	Telephone conference with DM, Vince Sheheen, Gibson and Jay re: strategy for mediation session	0.50	487.50
	MAM	Communicate with DM and SC Group counsel on elements for mediation discussion and possible venue for potential settlement	0.20	195.00
12/19/2021	MAM	Telephone conference with DM and Rosen re: pre mediation session conference	0.60	585.00
	MAM	Communicate with V Sheheen and Gibson re: update on pre mediation teleconference w/DM and Rosen and review response	0.10	97.50
	MAM	Plan and prepare for mediation with FE	5.70	5,557.50
12/20/2021	MAM	Attended mediation in Cleveland, communications w/co-counsel re: terms and procedures and travel to Chicago	10.20	9,945.00
12/21/2021	MAM	Telephone conference with DM, VS, & JW re: strategy for class definition for settlement class, combination of Emmons and Smith for settlement and strategy and logistics, communication w/Court re: status of litigation and possibility of Standstill re: FE	0.70	682.50
	MAM	Telephone conference with DM and JW re: possible additional soft economic relief to provide for going forward insurance and enhanced class relief via injunction from collecting surcharge for a period	0.10	97.50
	MAM	Draft and revise cooperation provisions for settlement agreement	1.70	1,657.50

Analysis/Litigation Strategy/Case Management

			Hours	
	MAM	Plan and prepare for notices modification to include Emmons material	1.90	1,852.50
12/22/2021	MAM	Telephone conference with DM, JW and VC re: settlement terms and class def	0.60	585.00
	MAM	Draft and revise settlement agreement and Long form notice; conf w/T Glenn @ABD re: notice plan, costs	3.70	3,607.50
12/23/2021	MAM	Draft and revise Notice and settlement agreement	2.20	2,145.00
12/24/2021	MAM	Draft and revise Long form notice	1.70	1,657.50
12/27/2021	MAM	Draft and revise Settlement Agreement	1.60	1,560.00
	MAM	Communicate with co-counsel re: class cert reply and motion to stay proceedings	0.20	195.00
12/28/2021	MAM	Draft and revise settlement agreement; revise motion to stay proceedings on class reply and consideration of JOP	2.90	2,827.50
12/29/2021	MAM	Communicate with DM and co-counsel re: class cert reply motion and order and review materials in connection with potential injunctive relief for settlement terms	1.60	1,560.00
12/30/2021	MAM	Telephone conference with DM, VS, JW and GS re: strategy for settlement agreement terms	0.60	585.00
	MAM	Draft and revise Settlement Agreement and Long Form Notice	2.10	2,047.50
12/31/2021	MAM	Draft and revise settlement agreement and communications w/co-counsel re: edits	2.20	2,145.00
01/07/2022	MAM	Communicate with DM and then communications w/FE counsel re: status of settlement agreement	0.20	195.00
01/12/2022	MAM	Draft and revise preliminary approval order and revise long form notice; communication w/DM and Jay Ward re: same	2.60	2,535.00
	MAM	Draft and revise Final Order and Judgment	1.10	1,072.50
	DR	Deleted docket alert from Westlaw	0.10	37.50
	DR	Reinstated Westlaw alert for Miller v. Anderson 20-1743	0.10	37.50
01/13/2022	MAM	Draft and revise long and short form notices, preliminary approval order, final order and judgment; review co-counsel edits to all docs	6.70	6,532.50
01/14/2022	MAM	Telephone conference with DM and JW re: debrief by JW of conversation w/Gladman and communication w/Gladman re: Notices, prelim approval order and final order and judgment docs	0.60	585.00
01/15/2022	AS	Conduct preliminary review of plaintiff's opening brief filed with the Seventh Circuit in the Comed case	0.80	628.00
	AS	Correspondence with co-counsel concerning plaintiff's opening brief filed with the Seventh Circuit in the Comed case	0.20	157.00
01/24/2022	AS	Prepare for upcoming co-counsel planning and strategy conference call concerning settlement efforts and pending motions, by among other things, examining the record to identify deadlines and existing obligations and drafting		

Ohio RICO

08/12/2022

Account No: 1337-004C
Statement No: 1516

Analysis/Litigation Strategy/Case Management

			Hours	
	AS	email concerning same	0.70	549.50
	AS	Participate in conference call with co-counsel concerning litigation strategy and action items	0.70	549.50
01/25/2022	MAM	Telephone conference with DM, JW, VS and GS re: settlement discussions between JW & Gladman and strategy for response	0.60	585.00
01/26/2022	AS	Review Rick Kerger's memo to the file (and attachments) concerning recent developments in the related criminal actions against Householder, etc	0.40	314.00
01/27/2022	MAM	Communicate with co-counsel and SC group re: discussion re: possible revised settlement amount and extent of release	0.10	97.50
01/28/2022	MAM	Communicate with all plaintiff's counsel re: settlement demand and negotiations with FE counsel	0.30	292.50
01/31/2022	AS	Call with K. Roddy and M. Margaret regarding strategy with respect to pending motions	0.50	392.50
02/01/2022	MAM	Telephone conference with VS, JW and GS re: settlement demand strategy and negotiations with FE; communication with DM re: same	0.60	585.00
02/03/2022	MAM	Telephone conference with DM, JW, VS and GS re: strategy for FE settlement negotiation and agreement	0.50	487.50
02/05/2022	MAM	Communicate with AS, KR re: reply on class cert; communication from MM, RK and DM re: recent articles on audit and strategy for damages assessment	0.40	390.00
02/08/2022	MAM	Draft and revise "term sheet" and communications w/co-counsel re: same; also tel/w DM re: same and additional edits	1.90	1,852.50
02/15/2022	MAM	Draft and revise term sheet and communication with DM and SC Group co-counsel re: same	0.90	877.50
02/16/2022	MAM	Telephone conference with DM, JW and Gibson re: term sheet and strategy for reaching settlement agreement	1.10	1,072.50
02/17/2022	MAM	Review and analyze FE response to settlement agreement proposal and communications with SC Group co-counsel	0.20	195.00
	AS	Prepare for and participate in conference call regarding litigations strategy and next steps	0.80	628.00
02/18/2022	MAM	Review and analyze edits term sheet from FE and communications	0.40	390.00
	MAM	Communicate with MEG re: Kleit retention as damages expert	0.20	195.00
02/21/2022	MAM	Telephone conference with DM, Andy Kleit, J Schwartz and RL re: damages analysis and strategy to support possible FE settlement and EH damages	0.70	682.50
02/23/2022	AS	Communications with co-counsel regarding recent developments in other actions against FirstEnergy	0.50	392.50
	AS	Draft correspondence regarding FirstEnergy's submissions in shareholder action pending before Judge Black	0.50	392.50

Analysis/Litigation Strategy/Case Management

Hours

02/28/2022	MAM	Communicate with co-counsel re: status of settlement with FE and strategy for approaching EH for interest in seeking resolution	0.20	195.00
03/01/2022	MAM	Communicate with co-counsel re: status of settlement with FE	0.20	195.00
03/07/2022	MAM	Telephone conference with DM, JW & VS re: term sheet proposal and strategy for responding and Settlement Agreement	0.50	487.50
03/08/2022	MAM	Telephone conference with AS, DM, RK and KR re: status of settlement discussions with FE and damages calculations; class cert reply and strategy for rule 26 disclosures re: EH	0.50	487.50
03/09/2022	MAM	Review and analyze term sheet and communications w/SC Group and DM re: same; tel w/AS re: same	0.60	585.00
03/11/2022	MAM	Draft and revise settlement agreement and communications with plaintiffs' counsel re: same	0.90	877.50
03/15/2022	MAM	Communicate with SC group and DM re: FE communication concerning settlement agreement and proposed strategy	0.30	292.50
03/18/2022	MAM	Communicate with co-counsel and SC Group re: reply on class, draft settlement agreement and strategy for response to Gladman re: same	1.20	1,170.00
03/20/2022	MAM	Communicate with co-counsel and SC Group re: FE proposal for stay of discovery and class definition	0.40	390.00
03/21/2022	AS	Multiple emails with co-counsel regarding litigation and settlement status and strategy, including correspondence concerning events and motions filed and orders entered in related shareholder lawsuit	0.50	392.50
	MAM	Telephone conference with DM and A Kleit re: confirmatory discovery on damages in connection with proposed settlement	0.40	390.00
03/22/2022	AS	Multiple emails with co-counsel regarding litigation and settlement status and strategy	0.50	392.50
	MAM	Telephone conference with DM, VS, and JW re: strategy for dealing with Gladman in connection with Settlement Agreement	0.60	585.00
03/23/2022	MAM	Telephone conference with DM, VS, JW and GS re: strategy and response to Gladman re: settlement agreement, confirmatory discovery and Judge Adams' opinion in Derivative case and need for discovery	0.50	487.50
03/24/2022	MAM	Review and analyze redline of settlement agreement received from FE	0.40	390.00
03/25/2022	MAM	Draft and revise FE redline settlement agreement and communications w/co-counsel re: same; tel w/AS re: prep of memo in support of prelim approval	0.90	877.50
03/28/2022	MAM	Draft and revise settlement agreement	1.70	1,657.50
03/29/2022	MAM	Draft and revise settlement agreement and communication with co-counsel re: same	0.60	585.00

Analysis/Litigation Strategy/Case Management

Hours

04/04/2022	MAM	Draft and revise settlement agreement, SF notice, and prelim approval order	0.90	877.50
04/06/2022	MAM	Draft and revise notice and settlement agreement	1.70	1,657.50
04/09/2022	MAM	Draft and revise settlement agreement and communicate with co-counsel re: same	0.60	585.00
04/11/2022	MAM	Draft and revise settlement agreement, prelim approval order, final judgment, short form notice	1.70	1,657.50
04/12/2022	MAM	Draft and revise Long form notice; short form notice and communication w/ABD re: same	0.90	877.50
04/13/2022	MAM	Draft and revise Long form notice edits received from FE and edit; communicationw w/DM and JW re: same	1.30	1,267.50
04/15/2022	MAM	Draft and revise Escrow Agreement and communications with DM and JW re: same	1.90	1,852.50
04/17/2022	MAM	Communicate with EM, LY, TG at ABD and AS re: Notice plan revisions and method to disseminate notices	0.60	585.00
04/18/2022	MAM	Draft and revise long form notice, communication with Tiffany (atty for FE) and tel w/DM and JW re: same	2.70	2,632.50
04/19/2022	MAM	Draft and revise long form notice, escrow agreement, provision for method of payment to class members; tel w/JW, EMiller and E Schachter @ABD re: payment method for long form notice; revise Notice Plan	4.70	4,582.50
04/20/2022	MAM	Telephone conference with DM, Marion and EH counsel re: prelim settlement discussion	0.40	390.00
	MAM	Draft and revise long form notice, notice plan and communications w/Tiffany Jackson (FE atty) re: same; communication w/DM and JW re: same	2.60	2,535.00
04/22/2022	MAM	Draft and revise Notice Plan, memo in support of prelim approval, joint declaration is support of prelim approval, Long form notice and communications and telconf w/Tiffany Jackson re: long form notice and Plan	2.90	2,827.50
04/23/2022	AS	Review recent newspaper article relevant to case	0.30	235.50
04/25/2022	MAM	Review and analyze memo from VS in prep for call with EH counsel	0.10	97.50
	MAM	Telephone conference with DM and VS re: memo from DPA and prep for call with EH counsel	0.40	390.00
	MAM	Draft and revise notice plan, long form notice, and memo in support of prelim approval	1.60	1,560.00
04/26/2022	MAM	Draft and revise memo in support of prelim approval and joint decl for prelim approval	2.40	2,340.00
	MAM	Draft and revise Notice Plan	0.70	682.50
	AS	Conduct legal research concerning notice by text option	1.10	863.50

Ohio RICO

08/12/2022

Account No: 1337-004C

Statement No: 1516

Analysis/Litigation Strategy/Case Management

Hours

04/27/2022	MAM	Draft and revise LF, SF notices, and notice plan and communications w/ER @ABD and Tiffany re: same	1.70	1,657.50
	MAM	Telephone conference with M. Pershan re: escrow agreement	0.20	195.00
04/28/2022	MAM	Draft and revise SF Notice, Notice Plan, memo in support of prelim approval and Prelim Approval Order, communications w/co-counsel re: same; tel w/DM, GS, Marion Little, & John Streeter re: settlement negotiations	1.90	1,852.50
04/29/2022	MAM	Draft and revise memo in support of prelim approval, joint declaration in support of prelim approval, proposed order granting prelim approval, Long-form and Short-form notices	2.70	2,632.50
	MAM	Telephone conference with DM and GS re: strategy for further settlement negotiations with EH	0.40	390.00
05/02/2022	MAM	Draft and revise Settlement Agreement and Short form notice for EH settlement	1.60	1,560.00
05/03/2022	MAM	Draft and revise settlement agreement for EH and communications w/co-counsel	0.90	877.50
05/04/2022	MAM	Draft and revise EH settlement agreement and tel w/DM and JW re: same	1.10	1,072.50
05/09/2022	MAM	Draft and revise amended memo in support of preliminary approval.	0.60	585.00
05/10/2022	MAM	Communicate with DM re: modification of FE settlement Agreement; communication w/AS re: edits to memo in support of preliminary approval and edits to same	0.40	390.00
05/12/2022	MAM	Telephone conference with DM, J Streeter and Marion Little re: settlement agreement and in particular, para 24 representations and how to include but not yet part of the public record	0.30	292.50
05/16/2022	MAM	Telephone conference with DM and JW re: EH edits and further revisions to settlement agreement, make modifications to agreement and communications re: same	0.60	585.00
05/17/2022	MAM	Communicate with co-counsel re: court's inquiry about proposed preliminary approval order; communication w/EH counsel re: escrow agreement or fund settlement into existing escrow account	0.20	195.00
05/18/2022	MAM	Telephone conference with DM, JW, J Streeter, & Marion Little re: edits to settlement agreement and strategy to advance process	0.60	585.00
05/19/2022	DR	Searched Westlaw for requested opinion; emailed same to A. Szot	0.10	37.50
05/20/2022	AS	Listen to 7th circuit oral argument in Gress	0.40	314.00
05/22/2022	MAM	Communicate with EH counsel re: status of settlement agreement	0.10	97.50
05/23/2022	MAM	Plan and prepare for settlement agreement discussions on settlement agreement draft and strategy for FE preliminary approval	0.20	195.00
05/25/2022	MAM	Telephone conferences with DM, JW, and then w/DM, JW, M Little and J		

Analysis/Litigation Strategy/Case Management

		Streeter re: settlement agreement	Hours 0.60	585.00
05/28/2022	MAM	Communicate with DM and JW re: response thought on EH class def proposal for settlement and strategy for resolution and settlement agreement	0.20	195.00
05/29/2022	MAM	Communicate with DM and JW re: additional thought on EH class def and strategy	0.10	97.50
06/02/2022	MAM	Telephone conference with DM, JW, J Streeter, & Marion Little re: settlement agreement and class def	0.40	390.00
06/03/2022	MAM	Communicate with DM and JW and then to EH counsel re: settlement agreement and advise of our intention to provide status to Court on pending FE preliminary approval motion	0.40	390.00
	MAM	Review and analyze communication from EH counsel re: class definition and settlement agreement	0.10	97.50
06/04/2022	MAM	Draft and revise final iteration of EH settlement agreement and communication w/DM and JW re: same	0.80	780.00
06/05/2022	MAM	Draft and revise EH settlement Agreement	0.20	195.00
06/06/2022	MAM	Draft and revise EH settlement Agreement and numerous communications w/co-counsel and EH counsel	1.20	1,170.00
06/07/2022	MAM	Draft and revise EH settlement agreement, supplemental agreement and amended motion papers for preliminary approval; communications w/co-counsel and EH counsel re: same	2.60	2,535.00
06/09/2022	MAM	Communicate with AS and Linda Young re: amended notice plan and declaration in support	0.70	682.50
06/10/2022	MAM	Review and analyze final amended prelim approval motion papers and conf w/AS re: same	0.60	585.00
06/13/2022	MAM	Communicate with AS and Tiffany Libscomb-Jackson re: preliminary approval motion and supporting papers	0.20	195.00
06/15/2022	MAM	Review and analyze corrected declaration exhibits in support of preliminary approval	0.60	585.00
06/20/2022	MAM	Communicate with DM re: status of motion for preliminary approval	0.10	97.50
06/21/2022	AS	Communicate with M. Miller and K. Marquis regarding putting documents into cold-storage	0.30	235.50
06/22/2022	MAM	Review and analyze preliminary approval order and communication w/ABD re: same prep for implementation of Notice Plan	0.30	292.50
06/23/2022	MAM	Draft and revise final edits to notices	0.60	585.00
06/30/2022	MAM	Draft and revise notices and communications w/co-counsel and Eric Miller at		

Account No: 1337-004C
Statement No: 1516

Analysis/Litigation Strategy/Case Management

			Hours	
	ADM		1.20	1,170.00
07/02/2022	MAM	Draft and revise notices and edits to conform to Court's prelim approval order; communications w/co-counsel re: same	1.60	1,560.00
07/05/2022	MAM	Communicate with Tiffany, Marion and Eric Miller @ABD re: additional edits to Notices	0.60	585.00
07/07/2022	MAM	Telephone conference with AS and DM re: fee motion and memo in support and final approval of settlements, fees, incentive awards and notices	0.40	390.00
07/12/2022	MAM	Draft and revise press release and communications w/Eric Miller at ABD re: notice issues raised from FE data	0.40	390.00
07/14/2022	AS	Email correspondence with JND regarding putting document review platform in "cold storage" in order to save money for the Class	0.30	235.50
12/31/2022	MAM	Draft and revise settlement agreement, communication w/co-counsel re: same and communication to Defendant re: same	1.40	1,365.00
		For Current Services Rendered	397.10	363,868.50

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Marvin A. Miller	290.70	\$975.00	\$283,432.50
Lori A. Fanning	1.20	785.00	942.00
Anne Jewell	1.10	475.00	522.50
Andrew Szot	97.40	785.00	76,459.00
Dena Robinson	6.70	375.00	2,512.50

Total for this Statement 363,868.50

Balance Due \$363,868.50

Account No: 1337-005C
Statement No: 1517

Experts/Consultants

Draft Statement

Hours

09/10/2021	AS	Review and analyze resume of contemplated expert	0.40	314.00
10/08/2021	AS	Review correspondence and attachments relating to damages and sent by Professor Dormady	1.10	863.50
		For Current Services Rendered	1.50	1,177.50

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Andrew Szot	1.50	\$785.00	\$1,177.50

Total for this Statement	1,177.50
--------------------------	----------

Balance Due	<u>\$1,177.50</u>
-------------	-------------------

Mediation and Settlement

Draft Statement

Hours

04/25/2021	AS	Email correspondence with opposing counsel regarding settlement discussions	0.10	78.50
05/28/2021	AS	Prepare for and participate in weekly conference call to discuss mediation plan and mediation statements drafting	0.60	471.00
06/06/2021	AS	Draft, revise, and edit statement of fact and procedural history inserts for mediation statement	2.10	1,648.50
06/21/2021	AS	Email correspondence with co-counsel regarding upcoming mediation strategy	0.50	392.50
06/24/2021	AS	Conduct review of certain case law for purposes of assisting in the preparation of the upcoming mediation	2.10	1,648.50
07/02/2021	AS	Prepare for and participate in strategy call concerning mediation	0.70	549.50
	AS	Revise and edit mediation related papers	0.80	628.00
	AS	Review and analyze FirstEnergy public filings for purposes of preparing for mediation	2.10	1,648.50
07/10/2021	AS	Prepare for and participate in conference call with co-counsel regarding mediation strategy	0.70	549.50
	AS	Conduct legal research for purposes of assisting in the preparation of mediation statement and mediation strategy	0.40	314.00
07/13/2021	AS	Participate in conference call and research case law in furtherance of mediation/settlement efforts	0.90	706.50
07/16/2021	AS	Revise and edit mediation brief and confidential submission to mediator	0.70	549.50
	AS	Discuss settlement strategy with co-counsel	0.80	628.00
07/20/2021	DR	Downloaded exhibits to FirstEnergy's mediation statement; forwarded same to R. Kerger via Hightail	0.20	75.00
	AS	Conduct review and analysis of Defendants' mediation statements for purposes of sharing comments with co-counsel in preparation of upcoming mediation	1.40	1,099.00
	AS	Conduct review of file for purposes of assessing arguments and points raised by Defendants in preparation of upcoming mediation	2.10	1,648.50
	AS	Multiple communications with co-counsel regarding mediation statements and upcoming mediation	0.60	471.00
07/23/2021	AS	Participate in conference call with co-counsel to prepare for upcoming mediation	0.70	549.50
	AS	Multiple communications concerning and to prepare for upcoming mediation, including substantive law discussions about various issues raised in the parties' mediations statements	1.30	1,020.50
07/24/2021	AS	Multiple email correspondence with co-counsel in advance of upcoming mediation	1.40	1,099.00

Mediation and Settlement

			Hours	
07/25/2021	AS	Communicate with MAM regarding upcoming mediation	0.10	78.50
07/26/2021	AS	Conduct legal research for purposes of advancing settlement efforts at mediation	4.50	3,532.50
07/27/2021	AS	Communicate with M. Miller regarding research needed for second day of mediation/settlement conference	0.40	314.00
	AS	Conduct legal research needed for second day of mediation / settlement conference	5.10	4,003.50
	AS	Multiple calls and emails with MAM and M. Murray regarding research needed for second day of mediation / settlement conference	0.80	628.00
	AS	Review file to conduct research needed for second day of mediation / settlement conference	1.90	1,491.50
	AS	Conduct factual investigation regarding HB6, HB128, and other contemplated house bills for purposes of conducting investigation in support of ratepayer plaintiffs' mediation efforts	1.70	1,334.50
07/29/2021	AS	Email correspondence and conference call with co-counsel regarding mediation and next steps	0.80	628.00
07/30/2021	AS	Multiple emails and calls with co-counsel regarding mediation efforts	0.50	392.50
09/10/2021	AS	Conduct analysis of recent decisions relevant to case for purposes of determining and assessing litigation strategy and settlement efforts	2.40	1,884.00
11/05/2021	AS	Communicate with MAM regarding settlement strategy	0.40	314.00
12/21/2021	AS	Email correspondence with co-counsel regarding details of contemplated settlement and releases relating to same	0.70	549.50
12/23/2021	AS	Email correspondence with co-counsel regarding details of settlement with FE	0.60	471.00
12/28/2021	AS	Correspondence with MAM regarding status of settlement and memorialization of same	0.50	392.50
01/01/2022	AS	Review and analyze draft settlement agreement	0.40	314.00
	AS	Communicate with MAM regarding draft settlement agreement	0.40	314.00
01/12/2022	AS	Communications with MAM regarding status of settlement with FirstEnergy	0.40	314.00
01/14/2022	DR	Edits to proposed order as to settlement agreement; emails with M. Miler re same	0.50	187.50
02/09/2022	AS	Multiple emails and calls with MAM regarding status of possible settlement with First Energy	0.90	706.50
03/09/2022	AS	Review and analyze recently received settlement term sheet	0.30	235.50
	AS	Communciate with MAM regarding recently received draft of settlement term sheet and discuss strategy with respect to same	0.30	235.50
03/12/2022	AS	Email correspondence with co-counsel regarding recent filings in other cases and how those developments impact settlement strategy in this case	0.70	549.50

Mediation and Settlement

Hours

03/13/2022	AS	Email correspondence with MAM regarding settlement status and strategy	0.40	314.00
03/14/2022	DR	Edits to draft motion for preliminary approval of settlement and declarations to same	0.40	150.00
	AS	Review and analyze case law and other sources for purposes of preparing memorandum in support of preliminary approval of contemplated settlement	3.80	2,983.00
	AS	Begin drafting memo in support of motion for preliminary approval	3.10	2,433.50
03/17/2022	AS	Email correspondence with MAM regarding status and strategy with respect to settlement	0.30	235.50
	MAM	Draft settlement agreement	1.10	1,072.50
03/25/2022	AS	Revise and edit settlement agreement and communicate with MAM regarding same	1.70	1,334.50
03/26/2022	AS	Communicate with MAM concerning possible notice plan to be submitted in connection with the contemplated motion for preliminary approval of the contemplated settlement agreement	0.30	235.50
	AS	Continue to analyze case law for purposes of preparing preliminary approval papers	0.40	314.00
03/27/2022	AS	Revise and edit draft memorandum in support of motion for preliminary approval of contemplated settlement agreement	1.20	942.00
03/28/2022	AS	Continue to research case law for purposes of preparing preliminary approval efforts	3.10	2,433.50
	AS	Communications with co-counsel regarding settlement agreement and settlement negotiations generally	0.50	392.50
03/29/2022	AS	Correspondence with D. Murray and also JND rep. concerning number of pages of documents produced by FirstEnergy for purposes of revising/editing settlement agreement with the FirstEnergy Settling Parties	0.30	235.50
03/30/2022	AS	Make proposed edits to settlement agreement concerning the format in which plaintiffs need class member information and draft email to co-counsel and MAM concerning same	0.80	628.00
	MAM	Communication with co-counsel and FE counsel re draft settlement agreement	0.40	390.00
04/04/2022	AS	Communicate with MAM regarding terms of the contemplated settlement agreement	0.60	471.00
	AS	Make additional proposed edits to contemplated settlement agreement	0.70	549.50
04/06/2022	AS	Prepare for and participate in conference call with MAM and D. Murray concerning additional edits to contemplated settlement agreement and to discuss negotiating strategy with respect to remaining outstanding issues in settlement agreement	1.40	1,099.00
	AS	Revise / edit draft settlement agreement	0.60	471.00
04/07/2022	AS	Analyze and address additional edits to contemplated settlement agreement	0.70	549.50
	AS	Communicate with MAM and D. Murray regarding contemplated settlement terms	0.40	314.00

Mediation and Settlement

Hours

04/08/2022	AS	Multiple emails with co-counsel regarding settlement negotiations	0.60	471.00
04/09/2022	AS	Revise and edit contemplated settlement agreement, especially as it relates to individual defendants' cooperation (in light of pending criminal prosecution) and production of types of class member data to be produced as part of settlement	0.70	549.50
	AS	Email correspondence with co-counsel regarding outstanding terms of contemplated settlement agreement with FirstEnergy	0.70	549.50
	AS	Analyze recent filings (based upon Westlaw docket alert) in Securities case against FE	0.10	78.50
04/10/2022	AS	Email correspondence with co-counsel regarding final terms (including no-press language) of contemplated settlement agreement with FirstEnergy	0.20	157.00
	AS	Further correspondence with co-counsel with respect to outstanding terms to be negotiated with respect to contemplated settlement agreement with FirstEnergy	0.50	392.50
04/12/2022	AS	Email correspondence with MAM regarding draft of long form notice and status of contemplated settlement with FirstEnergy	0.50	392.50
	AS	Email correspondence with co-counsel regarding drafting plan in relation to motion for preliminary approval of FirstEnergy Settlement	0.40	314.00
04/17/2022	AS	Discuss contemplated notice plan with MAM in relation to settlement agreement with FirstEnergy	0.30	235.50
04/18/2022	AS	Conduct legal research for purposes of preparing preliminary approval papers	2.40	1,884.00
04/19/2022	AS	Draft memorandum of law in support of motion for preliminary approval	6.30	4,945.50
04/20/2022	AS	Continue to draft, revise, and edit preliminary approval papers, including joint declaration	5.40	4,239.00
	AS	Communications with MAM regarding settlement negotiations with Energy Harbor	0.40	314.00
04/21/2022	AS	Analyze record for purposes of preparing joint declaration of Dennis Murray, Marvin Miller, and Jay Ward in support of Class Plaintiffs' motion or preliminary approval	2.60	2,041.00
	AS	Continue to draft declaration in support of motion for preliminary approval	2.90	2,276.50
	AS	Revise / edit draft of proposed preliminary approval order	1.30	1,020.50
04/22/2022	AS	Continue to revise and edit memorandum of law in support of motion for preliminary approval and joint declaration in support of same	6.70	5,259.50
	AS	Communication with MAM regarding settlement negotiations with Energy Harbor	0.40	314.00
04/25/2022	AS	Continue to draft, revise, and edit preliminary approval papers	4.30	3,375.50
04/26/2022	AS	Multiple communications with co-counsel regarding preliminary approval papers and strategy with respect to same	1.30	1,020.50
	AS	Revise and edit preliminary approval papers	1.60	1,256.00
	AS	Identify and review exhibits to the attached to preliminary approval papers	0.50	392.50
	AS	Edit proposed preliminary approval order and communicate with counsel for FirstEnergy relating to same	0.50	392.50

Mediation and Settlement

			Hours	
	AS	Email correspondence regarding potential unclaimed funds issue in relation to preparing preliminary approval papers	0.50	392.50
04/27/2022	AS	Email correspondence and phone calls with MAM and/or Dennis Murray regarding strategy with respect to settlement negotiations with Energy Harbor	0.60	471.00
	AS	Continue to revise, edit, review, and otherwise prepare: 1) motion for preliminary approval; 2) memo in support of motion for preliminary approval; 3) joint declaration of Dennis Murray, Marvin Miller, and James L. Ward in support of motion for preliminary approval; 4) notice plan; and 5) forms of notice	4.40	3,454.00
04/28/2022	AS	Continue to revise and edit motion for preliminary approval papers	2.10	1,648.50
04/29/2022	AS	Continue to revise and edit motion for preliminary approval papers	3.10	2,433.50
04/30/2022	AS	Communicate with MAM regarding status and strategy concerning settlement negotiations with Energy Harbor	0.40	314.00
05/01/2022	AS	Continue to draft and revise preliminary approval papers	1.60	1,256.00
	AS	Communicate with MAM regarding settlement negotiations strategy concerning possible Energy Harbor settlement	0.30	235.50
05/02/2022	DR	Edits to preliminary approval motion	0.30	112.50
	DR	Gathered and organized exhibits to preliminary approval motion	0.50	187.50
	DR	Edits to Energy Harbor settlement agreement	0.50	187.50
05/03/2022	DR	Edits to Energy Harbor settlement agreement	1.50	562.50
05/04/2022	AS	Revise and edit draft settlement agreement with Energy Harbor	0.90	706.50
	AS	Communications with co-counsel concerning status of settlement negotiations with EH	0.40	314.00
05/09/2022	AS	Communicate with MAM regarding settlement negotiations with EH	0.30	235.50
05/16/2022	AS	Review proposed revisions to settlement agreement made by Energy Harbor	0.40	314.00
	AS	Make revisions to settlement agreement based upon proposed revisions made received from Energy Harbor	0.60	471.00
	AS	Email correspondence with MAM regarding EH's proposed revisions to draft settlement agreement	0.20	157.00
05/26/2022	AS	Discuss status of settlement negotiation with EH with MAM	0.40	314.00
06/03/2022	AS	Communications with MAM regarding EH settlement and preparation of preliminary approval papers	0.70	549.50
06/06/2022	AS	Review and analyze latest version of EH settlement agreement	0.60	471.00
	AS	Draft, revise, and edit amended preliminary approval papers	2.70	2,119.50
06/28/2022	MAM	Communicate with Tiffany re: new wire instruction for FE to deposit into escrow	0.70	682.50
06/29/2022	AS	Communicate with MAM regarding final approval papers and hearing	0.40	314.00
07/04/2022	AS	Communications regarding preliminary approval schedule and execution of		

Account No: 1337-006C
Statement No: 1518

Mediation and Settlement

			Hours	
		notice plan	0.50	392.50
07/13/2022	AS	Communication with K. Roddy regarding information needed to prepare petition	0.40	314.00
07/22/2022	AS	Continue to prepare fee petition papers in connection with final approval of settlement	2.90	2,276.50
07/28/2022	AS	Communicate with D. Murray and M. Miller regarding preparation and status of fee petition papers and strategy with respect to same	0.30	235.50
07/29/2022	DR	Searched files for examples of a declaration in support of a fee petition; emailed same to A. Szot	0.50	187.50
	JR	Pull together fee declarations for AS to use in this case	1.00	325.00
		For Current Services Rendered	137.00	105,699.00

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Marvin A. Miller	2.20	\$975.00	\$2,145.00
Jorge Ramirez	1.00	325.00	325.00
Andrew Szot	129.40	785.00	101,579.00
Dena Robinson	4.40	375.00	1,650.00

Total for this Statement 105,699.00

Balance Due \$105,699.00

Class Certification, Notice and Claims

Draft Statement

Hours

11/09/2021	KEB	Review and analyze email from MAM and attached opinion on class certification; Review and analyze emails from LAF and MVT re: same	0.20	145.00
	AS	Review and analyze Court's order granting class certification	0.50	392.50
	AS	Multiple emails and correspondence with local counsel regarding Court's order granting class certification	0.90	706.50
	AS	Review record, court docket, and email correspondence with Defendant FirstEnergy to evaluate Plaintiffs' response to FirstEnergy's anticipated request to vacate Order certifying class	1.10	863.50
11/10/2021	AS	Communicate with MAM regarding class notice plan and preparation of motion and memorandum of law concerning same	0.40	314.00
	AS	Conduct legal research to prepare memorandum of law in support of proposed class notice plan	2.10	1,648.50
	AS	Review and analyze draft of proposed notice plan for purposes of preparing motion and memo in support of motion to approve class notice plan	0.70	549.50
	AS	Communications with AB Data regarding proposed notice plan for purposes of preparing motion and memo in support of motion to approve class notice plan	0.50	392.50
	AS	Begin drafting memorandum in support of motion for approval of proposed class notice plan	3.30	2,590.50
11/11/2021	AS	Continue to draft, revise and edit memorandum in support of proposed class notice plan	2.30	1,805.50
	AS	Revise and edit proposed class notice plan	0.80	628.00
	AS	Prepare for and participate in conference call with co-counsel concerning issues and strategy relating to the Court's recent entry of Order certifying plaintiffs' proposed class	0.90	706.50
11/13/2021	AS	Email correspondence with MAM regarding proposed class notice plan and litigation strategy relating to seeking Court approval concerning same	0.30	235.50
11/16/2021	AS	Communicate with AB Data concerning revisions to long and short form draft notices	0.60	471.00
	AS	Continue drafting memorandum in support of motion for approval of class notice and appointment of notice administrator	2.10	1,648.50
12/20/2021	AS	Draft, revise and edit various sections of reply in support of class certification	3.90	3,061.50
12/27/2021	AS	Assemble, organize, and revise drafts of inserts of reply in support of class certification	2.50	1,962.50
	AS	Communication with MAM regarding status or, and strategy related to, settlement negotiations with FirstEnergy	0.60	471.00
01/28/2022	AS	Revise and edit draft reply in support of class certification	1.80	1,413.00
	AS	Review and analyze case law for purposes of preparing reply in support of class certification	3.20	2,512.00
02/07/2022	DR	Review and edits to reply in support of class certification	1.80	675.00

Account No: 1337-007C
Statement No: 1519

Class Certification, Notice and Claims

Hours

02/08/2022	DR	Cite check, blue book, and additional edits to reply brief in support of class certification	6.80	2,550.00
02/11/2022	DR	Additional review and edits to draft reply brief in support of class certification motion	1.50	562.50
02/14/2022	DR	Created exhibits to reply brief in support of class certification using excerpts to Hudock and Smith deposition transcripts	0.50	187.50
	AS	Make further edits and communicate with co-counsel regarding draft reply brief in support of class certification	1.30	1,020.50
03/16/2022	AS	Correspondence and discussion with K. Roddy regarding class certification strategy, as well as research concerning same	0.90	706.50
	AS	Review and analyze recent revisions to draft reply in support of class certification	0.30	235.50
04/07/2022	AS	Further edits to proposed order granting preliminary approval and long and short forms of notice	1.40	1,099.00
04/19/2022	AS	Edit draft notice plan and conduct research re: same	1.70	1,334.50
06/23/2022	AS	Communicate with MAM regarding dissemination of notice pursuant to notice plan	0.30	235.50
06/28/2022	AS	Communicate with MAM regarding revisions to notice forms in light of entering of preliminary approval order and next steps	0.40	314.00
06/30/2022	AS	Conduct preliminary review of draft form notices	0.40	314.00
	AS	Email correspondence with lead counsel concerning draft form notices and review of same	0.20	157.00
07/01/2022	AS	Review Court website for purposes of finalizing notice forms	0.20	157.00
	AS	Email correspondence with Messrs. Miller, Murray, and Ward regarding missing information on notice form	0.20	157.00
07/02/2022	AS	Email correspondence with co-counsel regarding content for form notice	0.20	157.00
07/03/2022	AS	Further email correspondence with co-counsel regarding content of form notice and defendants' review and consent to same	0.40	314.00
07/11/2022	AS	Review and analyze notice forms and communicate with co-lead counsel concerning same	0.50	392.50
07/14/2022	MAM	Communicate with DM, JW, AS, and Eric Miller re: parameters for sending notices and data from FE re: class member's identification and addresses	0.60	585.00
	AS	Correspondence in connection with the execution of the notice plan to class members	0.30	235.50
07/18/2022	MAM	Communicate with EM @ ABD and review potential exclusions	0.70	682.50
07/22/2022	AS	Correspondence with co-counsel and settlement administrator in connection		

Account No: 1337-007C
Statement No: 1519

Class Certification, Notice and Claims

	Hours	
with execution of notice plan	0.30	235.50
For Current Services Rendered	49.60	34,825.00

	Recapitulation			
<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>	
Marvin A. Miller	1.30	\$975.00	\$1,267.50	
Andrew Szot	37.50	785.00	29,437.50	
Kathleen E. Boychuck	0.20	725.00	145.00	
Dena Robinson	10.60	375.00	3,975.00	

Total for this Statement	34,825.00
--------------------------	-----------

Balance Due	<u>\$34,825.00</u>
-------------	--------------------

	Balance
Costs only	\$19,374.71
Factual research and prefiling investigation	\$40,580.50
Legal research, motions, memoranda	\$405,837.50
Discovery, depositions, etc.	\$157,786.50
Analysis/Litigation Strategy/Case Management	\$363,868.50
Experts/Consultants	\$1,177.50
Mediation and Settlement	\$105,699.00
Class Certification, Notice and Claims	\$34,825.00
	<u>\$1,129,149.21</u>

Statements Printed:	8
Hours:	1,436.30
Fees:	1,109,774.50
Expenses:	19,374.71